

FinalRitaLouie.txt

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CONGREGATION RABBINICAL COLLEGE OF
TARTIKOV, INC., RABBI MORDECHAI
BABAD, RABBI WOLF BRIEF, RABBI
HERMEN KAHANA, RABBI MEIR MARGULIS,
RABBI GERGELY NEUMAN, RABBI MEILECH
MENCZER, RABBI JACOB HERSHKOWITZ,
RABBI CHAIM ROSENBERG, RABBI DAVID A.
MENCZER, and RABBI ARYEH ROYDE,
Plaintiffs,

8

-against-

07-CV8304
(KMK)

9

VILLAGE OF POMONA, NY; BOARD OF
TRUSTEES OF THE VILLAGE OF POMONA,
NY; NICHOLAS SANDERSON AS MAYOR;
IAN BANKS as Trustee and in his
official capacity, ALMA SANDERS
ROMAN as Trustee and in her official
capacity, RITA LOUIE as Trustee and
in her official capacity, and BRETT
YAGEL, as Trustee and in his official
capacity,
Defendants.

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June 16, 2014
10:33 a.m.

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EXAMINATION BEFORE TRIAL of
the Defendant, RITA LOUIE, taken pursuant
to Notice, held at the offices of Savad
Churgin, 55 Old Turnpike Road, Nanuet, New
York, before a Notary Public within and for
the State of New York.

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SANDY SAUNDERS REPORTING
254 South Main Street, Suite 216
New City, New York 10956
(845) 634-7561

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SAVAD CHURGIN
Attorneys for Plaintiffs
55 Old Nyack Turnpike
Suite 209
Nanuet, New York 10954

BY: DONNA C. SOBEL, ESQ.
JOHN G. STEPANOVICH, ESQ.

ROBINSON & COLE, LLP
Attorneys for Defendants
1055 Washington Boulevard
9th Floor
Stamford, Connecticut 06901

BY: ANDREA DONOVAN NAPP, ESQ.

DORIS F. ULMAN, ESQ.
Attorney for The Village of Pomona
134 Camp Hill Road
Pomona, New York 10970

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IT IS HEREBY STIPULATED AND AGREED
by and between the attorneys for the

6 FinalRitaLouie.txt
7 respective parties hereto that filing and
8 sealing are hereby waived.

9 IT IS FURTHER STIPULATED AND AGREED
10 that all objections, except as to the
11 form of the question, shall be reserved
12 to the time of the trial.

13
14 IT IS FURTHER STIPULATED AND AGREED
15 that the within examination may be signed
16 and sworn to before any Notary Public
17 with the same force and effect as though
18 signed and sworn to before this Court.

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25

1 - Rita Louie - 4
2 (At the request of Mr. Stepanovich the
3 following document was marked.)
4 (Whereupon, Notice of Deposition was
5 marked Plaintiff's Exhibit 260 for
6 identification.)
7 R I T A L O U I E, a Defendant herein, having
8 been first duly sworn by Gale Salit, a
9 Notary Public of the State of New York, was

10 FinalRitaLouie.txt
examined and testified as follows:

11 THE REPORTER: May I have your full
12 name, please?

13 THE WITNESS: Rita J. Louie.

14 THE REPORTER: May I have your
15 address?

16 THE WITNESS: 1 Secor Court, Pomona,
17 New York 10970.

18 EXAMINATION BY

19 MR. STEPANOVICH:

20 Q Good morning, my name is John
21 Stepanovich. This is Donna Sobel. And we're two
22 of the lawyers for the Rabbinical College of
23 Tartikov and the other plaintiffs in this
24 lawsuit.

25 I apologize for my voice and I'm

1 - Rita Louie -

5

2 losing it, so I'm hoping that I'll make it
3 through this. And if you don't understand my
4 question or you can't hear me, please let me know
5 and I'll do the very best I can to make myself
6 heard.

7 A Okay.

8 Q Have you ever given a deposition
9 before?

10 A Yes.

11 Q Then you understand the importance of
12 giving an audible answer as opposed to a nod of
13 the head, right?

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14 A Yes.

15 Q If you want to take a break at any

16 time, please let me know and we'll accommodate

17 you as long as there's not a question pending.

18 Once the answer is given, then we'll allow you to

19 take a break, whatever you need. Okay?

20 A Okay.

21 Q I'm handing you what's been marked as

22 Plaintiff's Exhibit No. 260, and ask if you can

23 identify that?

24 A Yes.

25 Q What is that?

6

1 - Rita Louie -

2 A This is the -- it's the notice of the

3 case.

4 Q Is this the notice of deposition that

5 you received in order to come to your deposition

6 today?

7 A Yes, it is.

8 Q What did you do to prepare for your

9 deposition?

10 A I had one meeting with the attorneys,

11 with my attorney.

12 Q Who was that?

13 A Doris Ulman and --

14 MS. NAPP: John Peloso.

15 A John Peloso.

16 Q Did you discuss your deposition with

17 anybody besides those two attorneys?

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9

1 - Rita Louie -

2 Q what was that?

3 A Rjldevelopment2@aol.com.

4 Q what period of time would you have had
5 that email, rjdevelopment2@aol.com?

6 A The late 1990s through early 2000s. I
7 don't know specifically.

8 Q Once you got this email,
9 rjlouie@optonline.com did you use the other
10 email, the rjldevelopment?

11 A No.

12 Q Besides those two email accounts, did
13 you ever have any other email accounts?

14 A I do have an email account associated
15 with the village, rita.louie@pomonavillage.com.

16 Q Do you use that email associated with
17 the village?

18 A Only for village business.

19 Q Do you have access to that email at
20 home or do you have to use that email at village
21 hall?

22 A I have access to it at home.

23 Q The documents that you turned over to
24 your counsel that's related to this lawsuit, how
25 did you do that, was that hard copies or --

10

1 - Rita Louie -

2 A All electronic. I have no hard copy
Page 8

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3 documents related to this case in my possession.

4 Q So electronically what do you mean,
5 did you put that on a disk or how did you get it
6 to your counsel?

7 A I gave counsel access to all my email
8 accounts.

9 Q Then was it counsel that retrieved
10 relevant emails and documents off of those
11 accounts?

12 A I don't know. I believe so.

13 Q Just so I understand the process.
14 Your counsel had access to all your email
15 accounts and they're the ones that went through
16 your documents to see if there was relevant
17 information to this lawsuit; is that your
18 testimony?

19 MS. NAPP: Object to the form.

20 A I have no idea what they did with the
21 access to my email accounts.

22 Q You didn't pick out documents that
23 were responsive to this lawsuit, did you?

24 A No.

25 MS. NAPP: Object to the form. You

11

1 - Rita Louie -

2 can answer.

3 Q Your lawyer did that, right?

4 MS. NAPP: If you know, you can
5 answer.

6 A I don't know. You'd have to ask my
Page 9

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7 lawyer.
8 Q Were you advised at all by anyone at
9 village hall to retain documents related to this
10 lawsuit?
11 A Yes.
12 Q How did you receive that advice?
13 A I don't recall specifically, but it
14 might have been via email.
15 Q Who would that have come from?
16 A That would have come from the mayor.
17 Q Mr. Sanderson?
18 A Mr. Sanderson, yes.
19 Q Do you recall when that happened?
20 A No.
21 Q Do you have social media accounts?
22 A Yes.
23 Q Could you tell me about those?
24 A I have a Facebook page. And I have a
25 Twitter account.

12

1 - Rita Louie -
2 Q How long have you had those?
3 A Less than five years.
4 MR. STEPANOVICH: (Handing document to
5 be marked.)
6 (Whereupon, Defendant Louie's
7 Supplemental Responses To Plaintiffs' Second
8 Set Of Interrogatories was marked
9 Plaintiff's Exhibit 262 for identification.)
10 Q On your email accounts -- is it Ms. or
Page 10

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11 Mrs., is Miss okay?

12 A You can call me Rita. Mrs. Louie.

13 Q Mrs. Louie. Thank you.

14 A Yeah.

15 Q On your email accounts did you delete
16 any of your emails that were relevant to this
17 lawsuit?

18 A Not that I know of.

19 Q Did you have any kind of automatic
20 process or program on your emails that would have
21 deleted your emails after a certain period of
22 time?

23 A No.

24 Q Did you save emails into a folder on
25 your computer?

13

1 - Rita Louie -

2 A Yes.

3 Q So did you have a named folder for
4 village business?

5 A Yes.

6 Q That would have been under the name of
7 what?

8 A Village Business, yes.

9 Q So your emails that were relevant to
10 village business, you would have moved them into
11 that folder?

12 A I physically moved them into that
13 folder, yes, periodically.

14 Q You did that on your personal

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15 computer?

16 A Yes.

17 Q Did you have to do that on the village
18 email address as well?

19 MS. NAPP: Object to the form.

20 A Any emails I had, regardless of the
21 address it came under, if it had to do with
22 village business went into the Village Business
23 folder.

24 Q So then it was that folder or that
25 account that your lawyers had access to?

14

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Yes.

4 Q Once you turned over access to your
5 emails to the lawyers, did you go back and review
6 what emails were copied or downloaded to supply
7 in this litigation?

8 MS. NAPP: Object to the form.

9 A No.

10 Q Every email related to village
11 business did you drag into that file or did you
12 delete some emails before you dragged them into
13 the Village Business file?

14 MS. NAPP: Object to the form.

15 Q Do you understand?

16 A I understand the question.

17 If I was going to delete -- if I had
18 deleted any village business emails, it would

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19 have just been meeting agendas that were
20 duplicated, any duplicates I would have deleted.
21 Other than that, every other village business
22 email went into the Village Business folder.
23 Q So when you say Village Business, what
24 went into that, anything dealing at all with the
25 village?

15

1 - Rita Louie -

2 A Yes.
3 Q Except agendas?
4 MS. NAPP: Object to the form.
5 Q Is that right?
6 A (No response.)
7 Q That Village Business email folder was
8 something that was created after you were
9 elected?
10 A Yes.
11 Q Did you retain any emails while you
12 were campaigning for office?
13 MS. NAPP: Object to the form.
14 A Not necessarily.
15 Q What did you do with the emails that
16 related to your campaign?
17 MS. NAPP: Object to the form.
18 A I would not have kept track of them.
19 Q I'm sure you emailed and received
20 emails regarding your campaign for trustee,
21 right?
22 MS. NAPP: Object to the form.

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23 A Yes.
24 Q Do you recall deleting those emails?
25 A Not specifically.

16

1 - Rita Louie -

2 Q What do you recall about that?

3 A I clean out my email folder
4 periodically, because it would get too full. So
5 certainly if a campaign was over, campaign emails
6 would have been deleted.

7 Q So did any of your emails regarding
8 your campaign make it into the Village Business
9 folder?

10 A Possibly, I don't know.

11 Q Do you know, did the emails that you
12 had during your campaign include emails between
13 yourself and village residents?

14 MS. NAPP: Object to the form.

15 A I don't recall.

16 Q Well, give me an example then of what
17 I'm using, I'm using the term campaign emails.
18 Give me an example of what kind of emails you
19 would have had when you were running for office
20 during your campaign?

21 MS. NAPP: Object to the form.

22 Q If you understand the question.

23 A No, I'm not understanding the
24 question. It's too broad.

25 Q Let me see if I can rephrase it.

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17

1 - Rita Louie -

2 I think you've answered this question.

3 You emailed while you were campaigning for
4 office, right?

5 MS. NAPP: Object to the form.

6 A I'm sure I did.

7 Q Did those emails include emails with
8 constituents?

9 MS. NAPP: Object to the form.

10 A Possibly.

11 Q Who would you have emailed with during
12 your campaign?

13 MS. NAPP: Object to the form.

14 A I don't recall.

15 Q Nick Sanderson?

16 A Possibly.

17 Q Brett Yagel?

18 A Possibly.

19 Q Those emails, I think you testified
20 they don't exist anymore; is that right?

21 MS. NAPP: Object to the form.

22 A I don't know. That's not what I
23 testified. I said some campaign emails could
24 have possibly been deleted during a purge of my
25 email account, but I have no way of knowing that.

18

1 - Rita Louie -

2 Q Did you have a campaign email address?

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3 A No.

4 Q Which email did you use while you were

5 campaigning?

6 A Rjlouie@optonline.net.

7 Q I'm handing you now what's been marked

8 as Plaintiff's Exhibit 262, and ask if you have

9 ever seen that document before?

10 A Yes.

11 Q Do you know what it is?

12 A Yes.

13 Q What is it?

14 A It's the interrogatory questions and

15 responses.

16 Q Did you participate in drafting this

17 document?

18 A Yes.

19 Q You provided the answers to these

20 questions to your attorneys; is that right?

21 A Correct, yes.

22 Q Where are you employed, Mrs. Louie?

23 A I'm self-employed.

24 Q What do you do?

25 A I'm a construction manager and

1 - Rita Louie -

2 property manager.

3 Q What's the name of your company?

4 A RJL Development, Inc.

5 Q Is that your initials, RJL?

6 A Yes.

19

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11 contractor. And I am the project manager on the
12 job.
13 Q Then who would hire the subcontractors
14 to do the work?
15 A The general contractor, whether it's
16 the owner or a regular general contractor in
17 conjunction with myself.
18 Q So you're advising the general
19 contractor in this process?
20 A Correct.
21 Q You don't actually sign any contracts
22 with the subcontractors yourself?
23 A Correct.
24 Q Does your company have any employees
25 besides you?

21
1 - Rita Louie -
2 A I have one part-time employee.
3 Q What position is that?
4 A He's a laborer, general labor.
5 Q You also indicated I think you do
6 property management?
7 A Yes.
8 Q What kind of property management?
9 A I do property management exclusively
10 for Rand Commercial Services. And Rand has 25
11 properties under the name of Better Homes and
12 Gardens Rand Realty, and I manage all their
13 properties for them.
14 Q Is that residential?

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15 A That's commercial.

16 Q Office space?

17 A Office space, yes.

18 Q What do you do in that regard? Just

19 generally describe that.

20 A Repairs, take complaints, liaison with

21 the landlords if it's a rental space. Upkeep of

22 the properties if it's our own -- if Rand owns

23 the buildings, general landscaping, maintenance,

24 contracts.

25 Q Do you collect the rents?

22

1 - Rita Louie -

2 A No.

3 Q The rents go directly to Rand?

4 A Yes.

5 Q How long have you been doing that?

6 A Ten weeks.

7 Q Those properties are located in what

8 general area?

9 A Rockland, Westchester, Orange, Bergen

10 and Putnam Counties.

11 Q That's run through your company RJL

12 Development?

13 A They pay me Rita Louie as a

14 consultant. I'm also a New York State licensed

15 salesperson.

16 Q Real estate salesperson?

17 A Real estate salesperson, yes.

18 Q So you have a real estate license?

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19 A Yes.

20 Q An agent's license?

21 A Yes.

22 Q Do you have a broker's license?

23 A No.

24 Q What positions have you held with the

25 village of Pomona?

23

1 - Rita Louie -

2 A I was a member of the planning board.

3 Q when was that?

4 A Can my attorney help me out with the

5 dates? 2000 -- it was 2002 to 2006.

6 Q who appointed you to the planning

7 board?

8 A At the time I believe it was Herb

9 Marshall.

10 Q Was it a four-year term?

11 A Yes.

12 Q You served the entire four years?

13 A Yes.

14 Q Were you a member of the planning

15 board that whole time or were you ever elected

16 chair of the board?

17 A I was a member the whole time.

18 Q who else was on the planning board

19 during your term?

20 A Nick winters was the chair. There was

21 Dan Kolak (phonetic). And there was an older

22 gentleman, I can't remember his name. I'm so

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23 sorry.

24 Q Mel Cook?

25 A No. No, not Mel.

24

1 - Rita Louie -

2 Q Was Bob Prol on the planning board
3 when you were a member?

4 A No.

5 Q You know Bob Prol?

6 A I know the name.

7 Q You don't know him personally?

8 A I do not know him personally.

9 Q Who else, if you recall?

10 A I can't remember. Sorry.

11 Q Did there come a time in March of '06
12 that you had to write to the ethics board?

13 MS. NAPP: Object to the form.

14 Q Village of Pomona Ethics Board.

15 A I believe I did, yes.

16 Q Do you recall what that was about?

17 A I was being hired, RJL Development, to
18 consult on a job in Pomona. And I needed to make
19 it known that I would be working, you know, on a
20 construction project within the village and I
21 would recuse myself from anything that had to do
22 with that project.

23 Q So was that what the letter was about?

24 A I don't recall -- yeah, I think so,
25 yeah.

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25

1 - Rita Louie -

2 Q If I'm understanding you correctly,
3 you were hired to do a job in Pomona while you
4 were a member of the planning board?

5 A Correct.

6 Q Did any applications regarding that
7 job come before the planning board?

8 A No.

9 Q What was the name of that job or
10 project that you had?

11 A I believe the address was at 12 High
12 Mountain, I believe, or 2 High Mountain, one of
13 those houses.

14 Q So it was a residential project?

15 A It was a residential project, uh-huh.

16 Q Did you complete that project?

17 A Yes.

18 Q To your recollection nothing came
19 before the planning board on that?

20 A No.

21 Q That letter, we'll just call it the
22 letter regarding High Mountain for ease of
23 reference. Who was that letter written to, the
24 board of trustees or the ethics board?

25 A I believe it was written to the ethics

26

1 - Rita Louie -

2 board. No, I believe the original letter was
3 written to the board of trustees. I'm sorry. I

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4 don't recall completely.

5 MR. STEPANOVICH: (Handing document to
6 be marked.)

7 (Whereupon, Board of Trustees Meeting
8 Minutes, 5/9/05, Bates No. POM17495, was
9 marked Plaintiff's Exhibit 263 for
10 identification.)

11 Q I'm handing you, Mrs. Louie, what's
12 been marked as Plaintiff's Exhibit 263. I just
13 ask you to look at that. It appears as if it's
14 minutes of a May 9th, 2005 board of trustees
15 meeting. I turn your direction to the second
16 page, fourth paragraph under Old Business.

17 "Mayor Marshall will have a copy of
18 Rita Louie's letter sent to the members of the
19 planning board. A joint workshop meeting with
20 the village board and the planning board will be
21 scheduled. Mr. Corless will be asked to attend
22 the joint meeting."

23 Did I read that accurately?

24 A Yes.

25 Q Do you recall what that letter was

1 - Rita Louie -

2 about?

3 A I believe that letter was about the
4 Halley II -- not the Halley II. The letter was
5 about the construction up on the mountain in
6 Pomona and my concerns regarding the village
7 policies regarding that construction.

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8 Q You didn't retain a copy of that
9 letter?

10 A Not that I remember.

11 Q Can you tell us what your concerns
12 were about the construction?

13 A At the time I was on the planning
14 board and there were many projects coming before
15 us with houses being built on steep slopes. And
16 we were having a lot of issues with the
17 development up on the mountain.

18 Q What kind of issues?

19 A Mostly developers going beyond
20 clearing limit lines. That the sites had been
21 filled with shot rock and the builders were
22 unable to re-vegetate the areas behind the houses
23 on major portions of the site, which was causing
24 the planning board a lot of problems in making
25 their decisions.

28

1 - Rita Louie -

2 Q What was your objective with that
3 letter?

4 A I would need to refresh my memory
5 with -- by seeing the letter to know what my
6 objective was, because it was in 2005.

7 Q But this letter here that you just
8 described, this was not the ethics letter that we
9 talked about before, was it?

10 A No.

11 Q The letter that you wrote to the board
 Page 24

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12 regarding the job that you had in Pomona -- we'll
13 call it the ethics letter for now. Does that
14 sound okay?

15 A Yes, that's fine.

16 Q Did the board take any action, the
17 ethics board or the village take any action on
18 your letter?

19 A I believe that they recommended I
20 resign from the planning board.

21 Q Do you know why?

22 A The board felt that there was a
23 conflict of interest if I was going to be doing
24 business in the village and also sitting on the
25 planning board.

29

1 - Rita Louie -

2 Q Did you offer to just recuse yourself
3 from that project?

4 A Yes, I did.

5 Q It was then that the village then
6 recommended that instead of recusing yourself you
7 resign from the planning board?

8 A Correct.

9 Q Is that what you did?

10 A Yes.

11 Q When did you do that?

12 A I don't recall. Sometime in 2006 I
13 guess.

14 Q Since that time in 2006 have you done
15 other jobs in the village of Pomona?

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16 A No.
17 Q So was it just that one job, the job
18 on High Mountain, is that the only job you did in
19 Pomona?
20 A Yes.
21 Q I think you testified to this. You
22 did in fact then resign from the Village Planning
23 Board; is that right?
24 A Yes, I believe I did.
25 MR. STEPANOVICH: (Handing document to

30

1 - Rita Louie -
2 be marked.)
3 (Whereupon, Memo 8/29/07, Document
4 Hold and Preservation Notice - Privileged
5 and Confidential, Bates Nos. POM0007310-14,
6 was marked Plaintiff's Exhibit 264 for
7 identification.)
8 Q I'm handing you, Mrs. Louie, what's
9 been marked as Plaintiff's Exhibit 264, and ask
10 if you've ever seen that before?
11 A Yes.
12 Q What is it?
13 A It is the notice to retain documents.
14 Q That's dated August of 2007, right?
15 A Yes.
16 Q When did you first see this document?
17 A It would have been in August of 2007.
18 Q How did you get this document?
19 A I don't remember.

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20 Q Were you a member of the board of
21 trustees in August of 2007?

22 A Yes.

23 Q Then when you received this document
24 in 2007 is that when you began to preserve your
25 documents related to the Tartikov matter?

31

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Yes.

4 Q You preserved those documents and
5 emails as you described earlier; is that right?

6 A Correct.

7 Q Just to be clear, did you have an
8 email folder that was entitled Village Business
9 that the emails went into?

10 A I had to physically put them in that
11 folder, yes.

12 Q But did you have any other documents
13 besides emails that were related to village
14 business?

15 A No.

16 Q You didn't have any word documents or
17 scanned documents, anything like that, that was
18 related to village business?

19 A Not that I recall that didn't come to
20 me in an email.

21 Q So then the only, again to be clear,
22 the only village business file that you had was
23 an email file?

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24 A Correct.
25 Q That was titled Village Business,

32

1 - Rita Louie -

2 right?

3 A Yes.

4 Q The only village business emails that
5 would have been deleted would have been those
6 emails that set agendas; is that right?

7 A Agendas or duplicates, yes.

8 Q You became a member of the village
9 board of trustees when?

10 A In 2007, in the election of 2007.

11 Q When were you sworn in?

12 A I believe it was April or May. I
13 don't remember the exact date.

14 Q Do you currently sit on the board of
15 trustees?

16 A Yes.

17 Q When did you run for reelection?

18 A 2011.

19 Q These are four-year terms; is that
20 right?

21 A Correct.

22 Q When you were elected in 2007 to the
23 board of trustees, was that the first time you
24 were elected to public office?

25 A Yes.

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33

1 - Rita Louie -

2 Q Obviously since 2007 you have voted
3 and passed laws as a member of the board of
4 trustees, right?

5 A Yes.

6 Q Can you just tell me what, just
7 generally what you base your decisions on when
8 you vote to pass a law?

9 MS. NAPP: Object to the form.

10 A I base my decisions on the legality of
11 the law, whether it's enforceable and how it
12 affects our village residents.

13 Q So let's break that apart. On
14 legality and enforceability of the law, how do
15 you determine whether a law is legal?

16 MS. NAPP: Object to the form.

17 Q That's a stupid question, I
18 understand, but I'm just trying to -- Do you
19 understand the question?

20 A Yes. We consult with our attorney and
21 I would use my own sense of cognitive thinking.

22 Q I think I hear what you're saying, is
23 that when a law is proposed it's obviously vetted
24 through your counsel?

25 A Correct.

34

1 - Rita Louie -

2 Q And if it gets to a vote, then you
3 believe that your legal counsel has determined

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4 that it's legal?

5 A Correct.

6 MS. NAPP: Object to the form.

7 Q You understand the question?

8 A Yes.

9 Q Besides the legality, what else do you

10 base the decision to vote on a law on?

11 A The information that's given me.

12 Q By whom?

13 A By the attorneys, by the consultants,

14 by the experts and feedback from the residents.

15 Q How do you go about getting feedback

16 by the residents?

17 A We have public hearings and people

18 speak.

19 Q I'm sure that you also get feedback in

20 other ways, right?

21 MS. NAPP: Object to the form.

22 A Not officially.

23 Q I'm sure you talk to residents about

24 laws that are being proposed, right?

25 A Not necessarily, no.

35

1 - Rita Louie -

2 Q Is it your testimony that the only

3 public input you get on a law is that which is

4 presented at a public hearing?

5 A In general, yes.

6 Q In general. I think I understand

7 that, but I mean you're not sitting here today

FinalRitaLouie.txt
8 saying that you had never received public input
9 on a law at the grocery store or walking your dog
10 or something like that, right?

11 MS. NAPP: Object to the form.

12 A On a law, no. I can't remember a
13 single incident where I would have discussed an
14 upcoming law with residents on the street or in a
15 supermarket.

16 Q How about through emails, have
17 constituents ever expressed their opinion on an
18 upcoming law through emails to you?

19 A Not that I remember.

20 Q Telephone conversations?

21 A No, I don't speak to the residents on
22 the telephone about legal matters.

23 Q You indicated that you don't speak to
24 citizens that way on legal matters. But have you
25 ever spoken to any Pomona resident and received

1 - Rita Louie - 36
2 their opinion on anything outside of a public
3 meeting?

4 MS. NAPP: Object to the form.

5 A Residents and neighbors have opinions
6 on everything, yes.

7 Q I'm sure they do. And is it fair then
8 to say that you have -- the answer to that
9 question is yes, you have received opinions from
10 residents on issues, correct?

11 MS. NAPP: Object to the form.

FinalRitaLouie.txt

12 A On issues, yes.

13 Q Give me an example for instance on

14 issues. What do you hear from citizens out

15 there?

16 MS. NAPP: Object to the form.

17 A Can I answer?

18 Q Sure.

19 MS. NAPP: If you understand the

20 question, you can answer any time I object

21 unless I tell you not to.

22 A For example, many of our residents are

23 athletic and they go running. And I've had a lot

24 of complaints from residents about neighbors who

25 don't pick up their dog poop and they are running

37

1 - Rita Louie -

2 and it causes a problem for them. That would be

3 a discussion in a supermarket.

4 Q I understand. You have another

5 example?

6 A When are the roads going to be paved

7 up on the mountain would be a big discussion that

8 comes up.

9 Q Coming back to the public hearings,

10 then the way I understand how it works at the

11 village is when a law is proposed citizens have

12 the opportunity to speak at a public meeting when

13 that law is being considered, right?

14 A Correct.

15 Q And obviously in your presence you

FinalRitaLouie.txt
16 hear these opinions?
17 A Yes.
18 Q Do you weigh those opinions when you
19 vote on a law?
20 A Absolutely.
21 Q Do you read the Rockland County
22 Journal News?
23 A Yes.
24 Q Do you read that on a daily basis?
25 A Not lately.

38
1 - Rita Louie -
2 Q Let's go back to 2007. Did you read
3 the Rockland County Journal News back then?
4 A Yes.
5 Q You read it on a daily basis?
6 A Yes.
7 Q Did you also back in 2007 time frame
8 go onto the Journal News website? I think it's
9 lohud.com.
10 A I don't believe so. Back then I was
11 not on LoHud.
12 Q When did you start to get on LoHud?
13 A Just in the past two years.
14 MS. NAPP: Object to the form.
15 A I'm not a big fan of newspapers
16 online.
17 Q How long have you lived in Rockland
18 County?
19 A Since 1987.

FinalRitaLouie.txt

20 Q where did you move from?

21 A Queens. Flushing, Queens, New York.

22 Q when you moved to Rockland County did

23 you move to Pomona?

24 A No.

25 Q where did you move to?

39

1 - Rita Louie -

2 A To Nanuet.

3 Q When did you move to Pomona?

4 A 1993.

5 Q Is that when you moved to your home on

6 Secor Court?

7 A Yes.

8 Q You've been there ever since?

9 A Yes.

10 Q 1993 in Pomona. And I'm sorry, it was

11 19 what into Rockland County?

12 A '87.

13 Q Has Rockland County changed since

14 1987?

15 MS. NAPP: Object to the form.

16 A Not too much.

17 Q Has the traffic increased?

18 A Yes.

19 Q How about the water supply, has that

20 decreased?

21 A Not that I know of.

22 Q what about the development, has that

23 gotten -- has Rockland County been -- has its

FinalRitaLouie.txt
24 pace of development increased since 1987?
25 MS. NAPP: Object to the form.

1 - Rita Louie - 40
2 A Overall, no.
3 Q what about the development in Pomona,
4 has that increased since 1993?
5 A No.
6 Q Do you believe there's been an
7 increase in development in Rockland County since
8 1987?
9 MS. NAPP: Object to the form.
10 A Overall, no.
11 Q In your opinion there's really not
12 much of a change in Rockland County since 1987?
13 MS. NAPP: Object to the form.
14 A In the entire county, no.
15 Q Has there been any change at all in
16 Rockland County since 1987 in your opinion?
17 MS. NAPP: Object to the form.
18 A Yes.
19 Q what is that change?
20 A There has been -- actually, there's
21 been an increased development, if this is what
22 you're trying to get at, in Ramapo.
23 Q I'm not trying really to get at
24 anything. I understand you may think that and
25 I'm not trying to be rude.

FinalRitaLouie.txt

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- Rita Louie -

Is there -- let's use another word.
What about the increase in population, has there
been an increase in population in Rockland County
since 1987?

A I don't know.

Q I'm trying to understand your answer.
Ramapo has changed since 1987, is that what your
testimony was?

MS. NAPP: Object to the form.

A There has been zoning changes in
Ramapo, but the rest of the county is relatively
the same.

Q What kind of zoning changes are you
aware of in Ramapo?

A I am aware of several areas. The Town
of Ramapo changed their comprehensive plan and
some of their zoning on certain areas of their
town.

Q Do you know the result of those zoning
changes?

MS. NAPP: Object to the form.

A The density increased in many areas.

Q Do you recall what the zoning changes
were in Ramapo?

42

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- Rita Louie -

A The only one specifically that I
recall and am aware of is the Patrick Farm
property.

FinalRitaLouie.txt

5 Q Do you know how the Patrick Farm
6 property zoning has changed?

7 A Yes.

8 Q How?

9 A It was originally two acre zoning.
10 And it's now I believe -- it was rezoned to one
11 acre zoning and then again downzoned to
12 multi-family zoning as far as I know.

13 Q Do you know who owns the Patrick Farms
14 property?

15 A No.

16 Q What do you know about adult student
17 housing in Ramapo?

18 A I know the term adult student housing
19 and -- but I don't believe there -- I don't know
20 that much about it.

21 Q You understand the term, but you don't
22 know the specifics; is that what you're saying?

23 A Correct.

24 Q Has there been an increase in
25 population of Orthodox, Hasidic individuals in

1 - Rita Louie -
2 Ramapo?

3 A I don't know the numbers and I
4 don't -- Over what time period are you talking
5 about?

6 Q Since 1987.

7 A I'm only aware of the time that I've
8 lived in Pomona.

43

FinalRitaLouie.txt

9 Q Since 1993 then has there been an
10 increase in the Orthodox, Hasidic population in
11 Ramapo?
12 A I don't know.
13 Q So as you sit here today is it your
14 testimony that you don't know whether or not
15 there's been an increase in the Orthodox, Hasidic
16 population in Ramapo?
17 A There may have been, but I don't know
18 the numbers.
19 Q I'm not asking you for the numbers.
20 I'm just asking you for your understanding.
21 A In my opinion?
22 Q Yes.
23 A Yes, possibly. Yeah.
24 (Off-the-record discussion.)
25 Q Do you know if the Patrick Farms

44

1 - Rita Louie -
2 development was intended for Orthodox, Hasidic
3 Jews?
4 A I had heard that at a zoning board and
5 also at a planning board meeting, that the
6 developers were saying that it was.
7 Q Have the schools changed in Rockland
8 County since you got here?
9 MS. NAPP: Object to the form.
10 A Which schools?
11 Q Let's just say East Ramapo School
12 District.

FinalRitaLouie.txt

13 A Yes.
14 Q How is that?
15 A The population of the school district
16 has changed dramatically.
17 Q What do you mean by population? You
18 mean number or the --
19 A The demographics.
20 Q Can you explain that?
21 A When my children were in the school
22 there was about a 50/50 mix of white versus
23 minority population of children in the school
24 district and now the public schools are almost 90
25 percent minority students.

45

1 - Rita Louie -
2 Q When you say minority students, can
3 you just explain that, please?
4 A Black and Hispanic.
5 Q You say that's now about 90 percent?
6 A Correct.
7 Q What about the school board itself in
8 East Ramapo, do you know whether or not that has
9 changed since you've come to Rockland County?
10 MS. NAPP: Object to the form.
11 A Yes.
12 Q How has it changed?
13 A The school board is mostly made up of
14 parents who send their children to private
15 schools now.
16 Q Who would that be?

FinalRitaLouie.txt

17 MS. NAPP: Object to the form.
18 A I don't know their names.
19 Q Are you referring to Orthodox, Hasidic
20 Jews?
21 A They're people who send their children
22 to private school.
23 Q What kind of private school?
24 A The religious schools.
25 Q Jewish schools?

46

1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A I believe some of them send their kids
4 to Jewish schools and I think there's one board
5 member who sends their child to a Catholic school
6 or Christian school. I'm not sure, I don't know
7 their personal lives.
8 Q Do you know how many members on the
9 school board send their children to private
10 religious schools?
11 A I believe all of them at this point.
12 Q I'm sorry, I think you may have
13 testified. Your children went to East Ramapo
14 School District?
15 A Yes, they did.
16 Q Did they go through the high school
17 and graduate from the high school?
18 A My daughter graduated from high
19 school. My son transferred to the Masters School
20 in Westchester in 11th grade, so he graduated

FinalRitaLouie.txt

21 from there. But he went through the East Ramapo
22 schools for all the other years.

23 Q When did your daughter graduate from
24 high school?

25 A 2000 -- oh, jeez. 2007.

47

1 - Rita Louie -

2 Q What was the last year your son was in
3 the East Ramapo School District?

4 A 2006.

5 Q When did this -- I'm going to use the
6 word change. When did you notice this change on
7 the East Ramapo School District start to come
8 about on the board, the board makeup?

9 MS. NAPP: Object to the form.

10 Q If you understand what I'm saying.

11 A Just recently in the last couple of
12 years.

13 Q Do you ever attend any East Ramapo
14 School District board meetings?

15 A I have, yes.

16 Q When was the last time you've done
17 that?

18 A Probably about a year ago.

19 Q Do you know what a voting bloc is?

20 MS. NAPP: Object to the form.

21 A Yes.

22 Q What is it?

23 A It's when a group of people vote all
24 in lock step for the same person directed by

FinalRitaLouie.txt

25 whoever.

48

1 - Rita Louie -

2 Q Do you know if there's any voting
3 blocs that exist in Rockland County?

4 A Yes.

5 Q What is that?

6 A There's a Hispanic voting bloc in the
7 Village of Haverstraw. There's also the voting
8 bloc, the religious voting bloc in Monsey. I
9 believe there's also an Irish Catholic voting
10 bloc in Pearl River.

11 Q The religious voting bloc that you
12 referred to in Monsey, would that be the
13 Orthodox, Hasidic religious group?

14 A Yes.

15 Q Are you familiar with the concept of
16 tax exempt properties?

17 A Yes.

18 Q To your knowledge are there any tax
19 exempt properties within the Village of Pomona?

20 A I believe there's a group home. We
21 have the Ladentown church. We have the Hindu
22 temple. And there's the new one, the
23 Zoro-something congregation. I'm sorry.

24 Q Do you have an opinion on tax exempt
25 properties?

49

FinalRitaLouie.txt
- Rita Louie -

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A No.

Q Do you understand just generally the legal basis for tax exempt properties?

A Yes.

Q what is that?

A Religious institutions, schools are tax exempt by law.

Q what do you know about Hasidic and Orthodox Jews and their customs and practices?

MS. NAPP: Object to the form.

A In terms of what?

Q Just generally.

A It's a religion just like any other religion on earth.

Q what do you mean by that?

A There are many religions on earth, and some people practice one religion and some people practice another religion.

Q Do the Orthodox, Hasidic Jews wear identifiable clothing?

A Yes, pretty much.

Q Can you describe that?

A Orthodox men wear hats, they have payos, they wear long black coats for the most

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- Rita Louie -

part.

Q I think you testified that there's --

I'm not trying to put words in your mouth. But

FinalRitaLouie.txt

5 the number of Orthodox, Hasidic Jews have
6 increased in Ramapo, is that fair?

7 A Yes.

8 Q How do you feel about that?

9 MS. NAPP: Object to the form.

10 A I have no feeling about it.

11 Q Do you go to Ramapo?

12 A Do I go to Ramapo?

13 Q Yes.

14 A I live on the border of Ramapo, yes.

15 Q When you say on the border, right on
16 the border?

17 A Within one block. I'm right over the
18 border in Haverstraw, yes.

19 Q So you have seen Ramapo change since
20 you've moved to Pomona?

21 MS. NAPP: Object to the form.

22 A Yes, there's been some building going
23 on.

24 Q What kind of building?

25 A Multi-family developments.

51

1 - Rita Louie -

2 Q Is that near where you live?

3 A Within five miles.

4 Q Do you know whether or not that's for
5 adult student housing?

6 A No, I don't know.

7 Q When you say multi units, what do you
8 mean by that?

FinalRitaLouie.txt
9 A High density multi-family houses,
10 three-story buildings, developments. There are
11 several.
12 Q Do you know how many?
13 A No.
14 Q How do you feel about that kind of
15 development?
16 MS. NAPP: Object to the form.
17 A How do I feel about that kind of
18 development. The question is too broad.
19 Q Do you agree with that kind of
20 development?
21 MS. NAPP: Object to the form.
22 A I grew up in public housing. So yeah,
23 it's a nice place to live.
24 Q So you're not opposed to multi-family
25 housing, are you?

52
1 - Rita Louie -
2 A No.
3 Q Has Ramapo changed in any other way
4 since you've moved to Rockland County, other than
5 what you have just described?
6 MS. NAPP: Object to the form.
7 A Not that I can think of.
8 Q Do you do any posting on Internet
9 forums or blogs?
10 A Sometimes.
11 Q What names do you use?
12 A What names do I use?

FinalRitaLouie.txt
13 Q Yes.
14 A I use my name, Rita or Rita J.
15 Q What does the J stand for?
16 A My maiden name, Jablonski.
17 Q So have you posted under the name Rita
18 Jablonski on Internet forums, right?
19 MS. NAPP: Object to the form.
20 A I don't know if I've ever used that
21 name. I don't remember.
22 Q We'll come back to that.
23 So you have used the name, I'm sorry,
24 Rita J?
25 A Uh-huh.

53

1 - Rita Louie -
2 Q Any other names that you remember
3 using on social media?
4 MS. NAPP: Object to the form.
5 A No, I don't remember.
6 Q Are you aware of the lead plaintiff in
7 this case, the Congregation Rabbinical College of
8 Tartikov, Inc.?
9 MS. NAPP: Object to the form.
10 A I know the name.
11 Q When did you become aware of the name?
12 A When this lawsuit came up.
13 Q July of '07?
14 MS. NAPP: Object to the form.
15 A Probably August of '07 sounds more
16 like it.

FinalRitaLouie.txt
17 Q You were familiar with Tartikov,
18 though, prior to August of '07, right?
19 MS. NAPP: Object to the form.
20 A Not that I recall.
21 Q When did you become familiar with
22 Tartikov's intentions to develop the property?
23 MS. NAPP: Object to the form.
24 A I don't remember.
25 Q Did you become aware of Tartikov's

54

1 - Rita Louie -
2 intentions to develop the property around the
3 time you were running for office in '07?
4 MS. NAPP: Object to the form.
5 A I don't remember.
6 Q The Tartikov development was a major
7 issue in your campaign, wasn't it?
8 MS. NAPP: Object to the form.
9 A Not a major issue. I think it might
10 have been an issue.
11 Q It was an important issue in your
12 campaign, wasn't it?
13 MS. NAPP: Object to the form.
14 A It was an issue.
15 Q You're saying it was an issue but it
16 was not an important issue in your campaign; is
17 that what your testimony is?
18 MS. NAPP: Object to the form.
19 A Correct.
20 Q When you were running for office in

FinalRitaLouie.txt
21 '07 it was an issue with the citizens of Pomona,
22 right?
23 MS. NAPP: Object to the form.
24 A Some.
25 Q When you campaigned did you go door to

55
1 - Rita Louie -
2 door?
3 A Yes.
4 Q Did you cover the entire village?
5 A Yes.
6 Q You talked to people who expressed
7 their concern over Tartikov's plans, right?
8 MS. NAPP: Object to the form.
9 A Among other things.
10 Q I'm sure. I'm sure there were other
11 things. But you did talk with village residents
12 about the Tartikov plans, right?
13 MS. NAPP: Object to the form.
14 A Not about the Tartikov plans, because
15 there were no plans. But about the property,
16 possibly yes.
17 Q What kinds of opinions did you get
18 from the residents?
19 MS. NAPP: Object to the form.
20 A I don't remember specifically. But
21 some people wanted to know what's going to happen
22 on that property.
23 Q Just generally what was your response
24 to those kind of questions?

25 FinalRitaLouie.txt
MS. NAPP: Object to the form.

1 - Rita Louie - 56
2 A Generally we assured residents that we
3 would be maintaining the zoning in the Village of
4 Pomona according to our comprehensive plan, and
5 that was our objective.
6 Q When was the last time the village's
7 comprehensive plan was updated, do you know?
8 A It was before my time.
9 Q Before your time on the board?
10 A On the board, yeah.
11 Q So when did you first become aware of
12 what it was that Tartikov intended to build on
13 the property?
14 MS. NAPP: Object to the form.
15 A I'm still really not clear what
16 Tartikov intends to build on the property,
17 because I haven't really ever heard of any plan
18 or seen any plan.
19 Q You do know that Tartikov intends to
20 build a rabbinical college on the property?
21 A I've heard the rabbinical college,
22 yes.
23 Q What else have you heard?
24 MS. NAPP: Object to the form.
25 A I've heard talk of a rabbinical

1 - Rita Louie - 57
Page 49

FinalRitaLouie.txt

2 college with dormitories attached and a house,
3 some housing.

4 Q Anything else?

5 MS. NAPP: Object to the form.

6 A No.

7 Q Do you believe that the rabbinical
8 college is just a front for a housing project?

9 MS. NAPP: Object to the form.

10 A I have no idea.

11 Q Do you have any understanding what a
12 rabbinical college is?

13 A I believe it's to train rabbis to be
14 judges in religious courts. That's what I know
15 of it.

16 Q Do you know who Michael Tauber is?

17 A I know the name.

18 Q Have you ever met him?

19 A I don't think so.

20 Q How do you know the name?

21 A Just from the court cases.

22 Q So it's your understanding that
23 Michael Tauber is associated in some way with
24 rabbinical college?

25 A I don't know if it's rabbinical

58

1 - Rita Louie -

2 college or some other developments, but, you
3 know, I've only heard the name. I have no idea
4 what he's associated with.

5 Q What do you know about the Patrick
Page 50

FinalRitaLouie.txt

6 Farm development?

7 MS. NAPP: Object to the form.

8 A Currently, historically?

9 Q We'll go back. Historically.

10 A That the property was downzoned by the
11 Town of Ramapo and there could possibly be a huge
12 development built there.

13 Q Do you have any idea of the numbers?

14 MS. NAPP: Object to the form.

15 A I have heard anywhere between, you
16 know, five hundred homes to eight thousand
17 people.

18 Q You say you've heard this. Where did
19 you hear this, where did you get this information
20 from?

21 A I go to a lot of meetings, planning
22 board meetings. I've been at the zoning board --
23 I was at the zoning board meeting when the
24 changes were being discussed in public hearings.

25 Q Did you ever hear the developer talk

59

1 - Rita Louie -

2 about his plan for Patrick Farms?

3 A I saw the presentation at a -- some
4 planning board meetings.

5 Q What's the current status of the
6 Patrick Farm development?

7 A I believe the planning board decisions
8 have been put on hold by the court, because the
9 SEQRA process was not completed properly. I

FinalRitaLouie.txt

10 believe the Army Corps of Engineers still has to
11 come in and evaluate the wetlands. There's a
12 question of a major gas pipeline through the
13 property that would be in violation if housing
14 was built near a pipeline.

15 Q Are you opposed or do you support the
16 Patrick Farm development?

17 A I support responsible development on
18 the Patrick Farm property.

19 Q What do you mean by that?

20 A The issues that I just reviewed
21 regarding why it's on hold, the issues of
22 preserving wetlands, preserving the integrity of
23 the property, not building near a dangerous gas
24 pipeline.

25 Q What do you mean by protecting

60

1 - Rita Louie -

2 integrity of the property?

3 A The property was basically zoned two
4 acre zoning originally for a reason. The reason
5 being because that would be in keeping with the
6 integrity of the environment and the surrounding
7 area.

8 Q How do you know that?

9 A How do I know that. That the original
10 zoning was two acre zoning?

11 Q No, the reason why it was zoned two
12 acres. You just explained there were reasons.

13 A As a, you know, former planning board
Page 52

FinalRitaLouie.txt

14 member if something is zoned a certain way,
15 there's a reason things are zoned a certain way.

16 MR. STEPANOVICH: Can you read back
17 the answer, Madam Court Reporter?

18 (The following answer was repeated:

19 A The property was basically zoned
20 two acre zoning originally for a reason.
21 The reason being because that would be in
22 keeping with the integrity of the
23 environment and the surrounding area.)

24 Q So then I'm just trying to focus in,
25 Mrs. Louie, that two acre lots there on Patrick

61

1 - Rita Louie -

2 Farms is in keeping with the surrounding
3 environment; is that what you're trying to say?
4 I'm not trying to put words in your mouth. I'm
5 just trying to figure out the answer.

6 MS. NAPP: Object to the form.

7 A When zoning is laid out there's a
8 reason for it. It's not just done haphazardly,
9 oh, let's put two acre zoning here. When
10 something is two acre zoning it's because the
11 surrounding area is two acre zoning. It's
12 because there are reasons for it to be zoned two
13 acres. It's not just done for no good reason.

14 Q The surrounding area is Pomona, right?

15 MS. NAPP: Object to the form.

16 Q Part of the surrounding area is
17 Pomona?

FinalRitaLouie.txt

18 A Part of the surrounding area is
19 Pomona.
20 Q Pomona is not zoned two acres, is it?
21 A It's zoned one acre.
22 Q But not two, right?
23 A Right.
24 Q What is the other surrounding zoning
25 around Patrick Farms, if you know?

62

1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A You know what, I don't know.
4 Q Besides Pomona, what borders Patrick
5 Farms?
6 A Montebello -- is Montebello -- I can't
7 ask her. To the south is Suffern, Montebello
8 area.
9 Q Do you know the zoning?
10 A No, I don't.
11 Q Are you a member of Preserve Ramapo?
12 MS. NAPP: Object to the form.
13 A No, I'm not.
14 Q Do you know if Preserve Ramapo has
15 members?
16 A I don't know if it's official
17 membership or just a group of people.
18 Q What do you know about Preserve Ramapo
19 in terms of the kind of organization that it is?
20 A I believe they were formed to preserve
21 Ramapo. It's a grass roots organization formed

FinalRitaLouie.txt

22 to oversee development in the Ramapo area.

23 Q What are they trying to preserve, if
24 you know?

25 A I think they are just trying to

63

1 - Rita Louie -

2 preserve the town.

3 Q Anything specific?

4 A Environmentally, scenic-wise.

5 Q Development?

6 MS. NAPP: Object to the form.

7 Q Do you know?

8 MS. NAPP: Object to the form.

9 A It depends.

10 Q It depends on what?

11 A The question is too broad. I can't
12 answer it.

13 Q Do you know if Preserve Ramapo is
14 opposed to increased development in Ramapo?

15 A No, I don't know.

16 Q Do you know Robert Rhodes?

17 A Yes.

18 Q Do you know him personally?

19 A I've spoken with him.

20 Q Do you know if he's associated with
21 Preserve Ramapo?

22 A I believe so. He's one of the leads
23 of Preserve Ramapo I think.

24 Q Have you ever talked to Mr. Rhodes
25 about the Tartikov project?

FinalRitaLouie.txt

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1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Possibly, not that I remember
4 specifically.

5 Q But it's possible?

6 A It's possible, sure.

7 Q Have you ever heard Mr. Rhodes speak
8 out about the increased Orthodox, Hasidic
9 population in Ramapo?

10 A Specifically, I don't know.

11 Q What have you heard other than
12 specifically about that?

13 A I've heard Mr. Rhodes speak at many,
14 many planning board meetings, town hall meetings,
15 zoning board meetings. I don't know if it's
16 specifically about any population.

17 Q Generally what does Mr. Rhodes speak
18 out -- to use your term speak out, I don't want
19 to mischaracterize what you said. What does he
20 speak out about at these planning board meetings?

21 MS. NAPP: Object to the form.

22 A I've heard Mr. Rhodes speak out many
23 times against downzoning, overdevelopment,
24 irresponsible development.

25 Q You agree with it?

65

1 - Rita Louie -

2 FinalRitaLouie.txt
MS. NAPP: Object to the form.

3 A At times. It depends on the project.

4 Q So then what you were talking about
5 with Mr. Rhodes, Mr. Rhodes speaks out about
6 these issues on specific projects or just as a
7 general matter?

8 MS. NAPP: Object to the form.

9 A I've heard him speak out against
10 specific projects.

11 Q Like what?

12 A Patrick Farm.

13 Q What have you heard him say?

14 A I've absolutely heard him testify in
15 public hearings that it was irresponsible
16 development.

17 Q And why?

18 MS. NAPP: Object to the form.

19 A Too big, too dense, wetlands, gas
20 pipeline, all of the environmental issues.

21 Q As a member of the planning board
22 you're I'm sure aware that projects come to the
23 planning board and issues are raised regarding
24 those projects, right?

25 MS. NAPP: Object to the form.

66

1 - Rita Louie -

2 A Yes.

3 Q That's happened when you've been on
4 the planning board, right?

5 MS. NAPP: Object to the form.

6 FinalRitaLouie.txt
A Sure.

7 Q Generally there's an attempt to
8 resolve these issues, right?

9 A Yes.

10 Q When you were on the planning board
11 generally how did that happen?

12 MS. NAPP: Object to the form.

13 Q We are talking generalities now. But
14 I mean you were on the planning board for four
15 years. Just tell me the process of just a
16 typical kind of project that would come before
17 you.

18 MS. NAPP: Object to the form.

19 A When a project comes up the planning
20 board has questions and issues with certain
21 aspects of the project. And typically the
22 petitioner would go back to their engineers and
23 come back the following month and resubmit a
24 revised set of drawings to answer the planning
25 board requests.

1 - Rita Louie -

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2 Q That's a typical process, right?

3 A That's typical, yes.

4 Q Let's say, for instance, the first
5 issue was a traffic issue, they needed another
6 red light. The applicant would come back and say
7 that for one reason or another that issue was
8 resolved, okay?

9 MS. NAPP: Object to the form.

FinalRitaLouie.txt

14 A I don't believe so.

15 MR. STEPANOVICH: You want to take a
16 break now?

17 (At this time a luncheon recess was
18 held, after which the deposition resumed.)

19 CONTINUED EXAMINATION

20 BY MR. STEPANOVICH:

21 Q were you on the planning board of
22 Pomona when the application from the Yeshiva
23 Spring Valley was filed?

24 A No, I don't believe I was.

25 Q Are you familiar with the Yeshiva

69

1 - Rita Louie -

2 Spring valley?

3 A No, I'm not.

4 Q You never heard of Yeshiva Spring

5 valley before?

6 A I've heard the name, but I'm not

7 familiar with the project at all.

8 Q You were on the planning board in 2002

9 to 2006?

10 A Yes.

11 Q And you don't recall any application

12 coming from the Yeshiva Spring valley?

13 A I do not.

14 Q Did you ever recall walking the site

15 of this property?

16 MS. NAPP: Object to the form.

17 A which property?

FinalRitaLouie.txt
18 Q Let me be clear. When I say the
19 property, I'm talking about the approximate 100
20 acre site there at 202 and 306.
21 A I've never taken a tour of that
22 property.
23 Q You've never walked it?
24 A No, I have not.
25 Q So then Yeshiva Spring Valley's

70
1 - Rita Louie -
2 application, you have no recollection of that
3 whatsoever?
4 A No, I do not.
5 Q Are you familiar with Camp Dora
6 Golding?
7 A I know the name.
8 Q Do you know whether or not that
9 organization operated the property in the past?
10 MS. NAPP: Object to the form.
11 A No, I do not.
12 Q I'm sorry if I'm just repeating myself
13 here. But you don't recall the name Rabbi
14 Fromowitz at all?
15 MS. NAPP: Object to the form.
16 A No.
17 Q This property that we're talking
18 about, this 100 acre property, have you heard it
19 called the Camp Dora property?
20 A No.
21 Q Have you heard it called Yeshiva

FinalRitaLouie.txt

72

1 - Rita Louie -

2 Q Have you ever seen Exhibit 266 before?

3 A Not that I recall.

4 Q Back in '07, January of '07 that's
5 when you were running for election; is that
6 right?

7 A Correct.

8 Q Board of trustees.

9 And did you receive information from
10 Preserve Ramapo back in that time in January of
11 '07?

12 MS. NAPP: Object to the form.

13 A Not that I recall.

14 Q So have you ever seen at all this
15 document?

16 A I have never seen this document.

17 Q Today is the first time you ever saw
18 this document?

19 A Yes.

20 Q How did you hear the first time about
21 the rabbinical college?

22 A I don't remember. I don't remember
23 the first time I heard about it. It wasn't this
24 document if that's what you're asking.

25 Q Again, I think you've answered it, but

73

1 - Rita Louie -

2 I just want to make sure. This is the first time
Page 63

FinalRitaLouie.txt

3 you've seen this document; is that right?

4 MS. NAPP: Object to the form.

5 A As far as I remember, this is the
6 first time I've ever seen this document.

7 Q Have you ever seen the last two pages
8 of this document before?

9 A I don't remember ever seeing this.

10 Q Do you ever recall seeing any sketch,
11 any drawing or anything regarding the rabbinical
12 college's plans to develop?

13 MS. NAPP: Object to the form.

14 A No, I don't.

15 Q Did you ever have any discussions with
16 anybody on the village board about the rabbinical
17 college's plans to develop the property?

18 MS. NAPP: Object to the form.

19 A I don't -- I have no idea how to
20 answer that question.

21 Q Let me try to ask a better question.

22 You testified this is the first time
23 you saw this document. But did you ever talk
24 with anybody on the Village Board of Trustees and
25 they told you that they had seen a document

74

1 - Rita Louie -

2 regarding the site plan of the rabbinical
3 college?

4 MS. NAPP: Object to the form.

5 A I don't remember if it was the board
6 of trustees, but I do recall -- No, I don't even

FinalRitaLouie.txt

7 know who.

8 Q You recall somebody telling you
9 something about the site plan?

10 A That there was a document out
11 somewhere. Never seen it.

12 Q You don't recall who told you that?

13 A No.

14 Q Do you recall when that was told to
15 you?

16 A No.

17 Q Could you describe from what sources
18 you have received information regarding the
19 rabbinical college's plans for development?

20 MS. NAPP: Object to the form.

21 A I have not received any information
22 regarding the plans for development of this
23 property.

24 Q So you've never seen any formal plans,
25 correct?

75

1 - Rita Louie -

2 A I've never seen any plans, no.

3 Q And you testified that you never saw
4 this prior exhibit which was 265 which lays out a
5 little sketch of the plan, right?

6 MS. NAPP: 266.

7 Q 266, I'm sorry.

8 A No, I've never seen it.

9 Q Is it fair to say then you've never
10 seen anything on paper regarding the rabbinical

FinalRitaLouie.txt

11 college's plans to develop; is that fair?

12 MS. NAPP: Object to the form.

13 A Correct, I've never seen anything on
14 paper or any plans regarding this project.

15 Q I think you've answered this earlier,
16 but I'll ask you again. Did you ever receive any
17 emails from Preserve Ramapo?

18 A In what time frame?

19 Q Back in 2007.

20 A I don't remember if I was on their
21 email list at any time back then.

22 Q So as you sit here today do you have
23 any recollection of receiving any emails from
24 Preserve Ramapo?

25 MS. NAPP: Object to the form.

76

1 - Rita Louie -

2 Q Back in 2007.

3 A It's possible, but I don't think so.

4 Q Beginning in 2007 were you aware of
5 the public sentiment regarding the plans for the
6 rabbinical college?

7 MS. NAPP: Object to the form.

8 A In 2007?

9 Q When you were running for election.
10 Start there, January of '07.

11 A Can you repeat the question?

12 Q Yes, let me try to rephrase it.

13 In January of 2007 were you aware of
14 the public sentiment regarding the plans for the

FinalRitaLouie.txt

15 rabbinical college?

16 MS. NAPP: Object to the form.

17 A I'd have to say no, because nobody
18 really knew what the plans were for this.

19 Q The rabbinical college was a hot topic
20 for the election, wasn't it?

21 MS. NAPP: Object to the form.

22 A It was one of many topics, yeah.

23 Q What were the other topics of the
24 election in 2007?

25 A One of the hottest topics was

77

1 - Rita Louie -

2 development on top of the mountain.

3 Q Would you consider that topic to be
4 more important than the rabbinical college topic?

5 MS. NAPP: Object to the form.

6 A Yes.

7 Q What were the facts behind the
8 development on the mountain that you refer to?

9 MS. NAPP: Object to the form.

10 A I was getting considerable push back
11 from residents on the destruction of the scenic
12 view up on the mountain in Pomona, because the
13 developers were taking down too many trees.

14 Q What time frame was that happening,
15 was that happening back in late 2006, 2007?

16 A Yes, it started while I was on the
17 planning board.

18 Q When you say developers, was there any
Page 67

FinalRitaLouie.txt

19 developer specifically that was doing that?

20 A There were a couple of people building
21 houses. I don't think they were big developers.
22 You know, medium size developers just building a
23 few houses.

24 Q Did you testify earlier that you don't
25 recall the name Michael Tauber?

78

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A No, I know the name. I don't really
4 know what he does.

5 Q Do you know that he was affiliated in
6 some way with the rabbinical college?

7 A I'm not clear on what project he would
8 be affiliated with.

9 Q I understand your answer. But did you
10 know back in 2007 that Michael Tauber had an
11 association with the rabbinical college?

12 A No.

13 Q You didn't know that?

14 A Absolutely, no.

15 MR. STEPANOVICH: (Handing document to
16 be marked.)

17 (Whereupon, Email dated 8/7/07, Bates
18 No. POM16497, was marked Plaintiff's Exhibit
19 267 for identification.)

20 Q I'm handing you now what's been marked
21 for identification as Plaintiff's Exhibit 267.
22 It looks like that's an email from Brett Yagel

FinalRitaLouie.txt

23 dated August 7, 2007 to
24 nicksanderson@pomonavillage.com and
25 rita.louie@pomonavillage.com. You were using

79

1 - Rita Louie -

2 that email, right, rita.louie@pomonavillage.com
3 in August of '07, correct?

4 MS. NAPP: Object to the form.

5 A Correct.

6 Q The email reads, "Tauber Michael,
7 broker for Tartikov. Second largest donation to
8 CSL. Hit PR airwaves last night. B."

9 Does this refresh your recollection at
10 all, Mrs. Louie, about who Michael Tauber was?

11 MS. NAPP: Object to the form.

12 A Reading this now I know who Michael
13 Tauber is or who he's affiliated with, according
14 to this email.

15 Q Is it your testimony today as you read
16 this, this is the first time you realized that
17 Michael Tauber was associated with Tartikov?

18 MS. NAPP: Object to the form.

19 A I would say it wasn't that important
20 to me, so I would not have paid that much
21 attention to this.

22 Q What was not that important to you?

23 A Who Michael Tauber was.

24 Q But the Tartikov project was important
25 to you, right?

FinalRitaLouie.txt

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1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Any project is important, but this
4 particular email wouldn't have made a very big
5 impact on me.

6 Q When you say this particular email,
7 what part of this particular email would not have
8 made a very big impact on you? I'm trying to
9 figure out what that is.

10 MS. NAPP: Object to the form.

11 A The part of the top that came from
12 Brett Yagel.

13 Q That talks about Michael Tauber,
14 broker for Tartikov, being the second largest
15 donation to CSL?

16 A Yes.

17 Q CSL, by the way, for the record that's
18 Christopher St. Lawrence, right?

19 MS. NAPP: Object to the form.

20 A Correct.

21 Q You recognize that CSL stands for
22 Christopher St. Lawrence, right?

23 A Yes.

24 Q Do you have any idea why Brett Yagel
25 sent this email only to you and Mr. Sanderson?

81

1 - Rita Louie -

2 MS. NAPP: Object to the form.

FinalRitaLouie.txt
3 A If it was right after the election or
4 -- we were his caucus, so he might have just
5 wanted to pass on the information.

6 Q What do you mean, we were his caucus?

7 A Nick, Brett and I ran together as the
8 Village Community Party. So if Brett got some
9 information he thought we would be interested in,
10 he might have sent it to us.

11 Q I'm trying to understand the word
12 caucus. Beyond the fact that you ran together on
13 the same slate, does the word caucus have any
14 special meaning there on the Village Board of
15 Trustees?

16 MS. NAPP: Object to the form.

17 A Yeah, I mean it's the same thing, it
18 means we were a slate, that's all.

19 Q What does that mean, we were a slate?
20 I think I know, but I would like you to explain
21 that to me.

22 A We ran together for office on the same
23 ticket.

24 Q The election was in March of '07,
25 right?

1 - Rita Louie -

82

2 A Correct.

3 Q This is about five months after the
4 election, right?

5 A Correct.

6 Q What was the reason for you, Nick

FinalRitaLouie.txt
7 Sanderson and Brett Yagel to still be on one
8 slate in August of '07?
9 MS. NAPP: Object to the form.
10 A Well, we were also friends.
11 Q Were there times when just you, Nick
12 Sanderson and Brett Yagel would discuss the
13 Tartikov project?
14 A No.
15 Q So you, Brett Yagel and Nick
16 Sanderson, just the three of you, never discussed
17 the Tartikov project amongst the three of you?
18 MS. NAPP: Object to the form.
19 A In a meeting?
20 Q Anywhere.
21 A After the election, no.
22 Q How about before? Never after the
23 election. But before the election did the three
24 of you ever discuss the Tartikov project?
25 MS. NAPP: Object to the form.

83
1 - Rita Louie -
2 A It's possible.
3 Q Nothing comes to mind, though?
4 A Not specifically. We discussed a lot
5 of issues during the campaign.
6 Q Besides the Tartikov project and the
7 building on the side of the mountain, what were
8 the other issues that were of concern during your
9 election campaign?
10 MS. NAPP: Object to the form.

FinalRitaLouie.txt
11 A People of the village were concerned
12 about communication between the local government
13 and the residents. We had a lot of discussion
14 about that.
15 Q Improving communications?
16 A Improving communications, uh-huh.
17 Q What else?
18 A We discussed improving events in the
19 village.
20 Q Community day things?
21 A Community things. We had a lot of
22 musicians in the village. We discussed the
23 institution of a music festival, which we
24 subsequently did start. Big and small issues,
25 many many.

84
1 - Rita Louie -
2 Q Did you, Mr. Sanderson and Mr. Yagel
3 ever discuss the Tartikov project with anyone
4 from Preserve Ramapo?
5 A No.
6 Q Never?
7 A Not that I remember, no.
8 Q Did you ever have any personal
9 discussions with Robert Rhodes about the Tartikov
10 project?
11 MS. NAPP: Object to the form.
12 A Not that I remember.
13 Q Did you ever have any discussions with
14 Michael Castelluccio regarding the Tartikov

FinalRitaLouie.txt

15 project?

16 MS. NAPP: Object to the form.

17 A No.

18 Q Never?

19 A No. I don't know Michael

20 Castelluccio.

21 Q Did you ever have any discussions with

22 Robert Prol regarding the Tartikov project?

23 MS. NAPP: Object to the form.

24 A No.

25 Q I think you testified, but I just want

85

1 - Rita Louie -

2 to be clear. Did you and Robert Prol sit on the

3 planning board together?

4 A No.

5 Q Have you ever met Robert Prol?

6 A I may have met him years ago, but I

7 don't remember. I really never knew him.

8 MR. STEPANOVICH: (Handing document to

9 be marked.)

10 (Whereupon, Campaign Literature,

11 Endorsement, Bates No. POM20043, was marked

12 Plaintiff's Exhibit 268 for identification.)

13 Q I'm handing you now, Mrs. Louie,

14 what's been marked as Plaintiff's Exhibit 268. I

15 ask you to review that.

16 A (Complying.)

17 Q Have you ever seen Exhibit 268 before?

18 A Not that I recall.

FinalRitaLouie.txt
19 Q Well, you were endorsed by Preserve
20 Ramapo in your election in 2007; is that right?
21 A Yes.
22 Q Do you know how that happened?
23 MS. NAPP: Object to the form.
24 Q Did you meet with Bob Rhodes, the
25 chairman of Preserve Ramapo, prior to Preserve

86

1 - Rita Louie -
2 Ramapo endorsing you?
3 A I don't remember meeting with him, but
4 maybe one of the other candidates did.
5 Q Did you speak with Bob Rhodes at all
6 regarding your desire to seek Preserve Ramapo's
7 endorsement?
8 MS. NAPP: Object to the form.
9 A I did not personally, no.
10 Q Did anyone else on the slate do that?
11 MS. NAPP: Object to the form.
12 A I have no knowledge of it.
13 Q Did you authorize Mr. Sanderson or Mr.
14 Yagel to speak to Preserve Ramapo on your behalf?
15 MS. NAPP: Object to the form.
16 A No.
17 Q Do you disagree with anything in this
18 endorsement by Preserve Ramapo?
19 MS. NAPP: Object to the form.
20 A No.
21 Q Back in 2007 you wanted the
22 endorsement from Preserve Ramapo, correct?

23 FinalRitaLouie.txt
MS. NAPP: Object to the form.
24 A I don't remember seeking specifically
25 their endorsement, but certainly when you are

1 - Rita Louie - 87
2 running for office you want as many endorsements
3 as possible.
4 Q why would you want the endorsement
5 from Preserve Ramapo?
6 MS. NAPP: Object to the form.
7 A We -- I would want the endorsement of
8 any civic group or grass roots organization in
9 the community.
10 Q In the last full paragraph the
11 endorsement reads, "Nick, Brett and Rita have
12 stood with their Ladentown neighbors knowing that
13 the fight began with the passing of RLUIPA and
14 the floodgates that opened when the Ramapo Town
15 Board led by Christopher St. Lawrence passed the
16 adult student housing law and designated Patrick
17 Farm as one of the four ASH locations."
18 Did I read that accurately?
19 A Yes.
20 Q How did Bob Rhodes know that, what I
21 just read, that you stood with the Ladentown
22 neighbors?
23 MS. NAPP: Object to the form.
24 A This is campaign speak.
25 Q what is campaign speak, what I just

FinalRitaLouie.txt

88

1 - Rita Louie -

2 read?

3 A Yeah, it's campaign speak. It's, you
4 know, the candidates, you know, will fight for
5 you and for your neighborhood basically.

6 Q Do you know who wrote this
7 endorsement?

8 A Well, it says it's from Bob Rhodes.

9 Q That's what it says at the bottom,
10 right?

11 A Uh-huh.

12 Q Do you know whether or not Bob Rhodes
13 wrote this endorsement?

14 A It says it's from Bob Rhodes. I have
15 to assume he wrote it.

16 Q And then reading again that same
17 paragraph, "knowing that the fight began with the
18 passing of RLUIPA and the floodgates that opened
19 when the Ramapo Town Board led by Christopher St.
20 Lawrence passed the adult student housing law and
21 designated Patrick Farm as one of the four ASH
22 locations."

23 Do you agree that the floodgates were
24 opened when the Ramapo Town Board passed the
25 adult student housing law?

89

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Yes.

FinalRitaLouie.txt

4 Q what floodgates were opened?
5 MS. NAPP: Object to the form.
6 MR. STEPANOVICH: And the objection,
7 excuse me, would be?
8 MS. NAPP: Floodgates, nobody knows
9 what that means.
10 Q Do you know what floodgates means?
11 A Floodgates, when you open up
12 floodgates it lets everything through.
13 Q So you agree then that the fight began
14 when the adult student housing law was passed in
15 Ramapo?
16 MS. NAPP: Object to the form.
17 Q which opened up the floodgates; is
18 that right?
19 A It's kind of like -- it's rhetoric
20 and, you know, I really can't agree with it or
21 disagree with it. It's just campaign rhetoric.
22 Q And so it doesn't mean anything?
23 A No.
24 Q But it was used in an endorsement for
25 you?

90

1 - Rita Louie -

2 A Yes.
3 Q To get votes?
4 A Sure.
5 Q Isn't it true that what Mr. Rhodes is
6 referring to here is that once the adult student
7 housing laws were passed in Ramapo, then the

FinalRitaLouie.txt

8 Orthodox Jews got to move into those houses, that
9 housing; isn't that right?
10 MS. NAPP: Object to the form.
11 A No.
12 Q That's not right?
13 A No, not necessarily at all.
14 Q Do you know who lives in the adult
15 student housing in Ramapo?
16 A I don't even know where there is adult
17 student housing currently in Ramapo.
18 Q You know there are adult student
19 housing sites in Ramapo, right?
20 A Not anything in particular.
21 Q Well, I thought you said you lived
22 near Ramapo?
23 A I do.
24 Q You're not familiar with adult student
25 housing sites in Ramapo?

91

1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A I don't know which sites are adult
4 student housing sites, no.
5 Q Do you know at all who the adult
6 student housing was intended to provide housing
7 for?
8 MS. NAPP: Object to the form.
9 A Adult students.
10 Q Of what, students of what?
11 A It doesn't say.

FinalRitaLouie.txt

12 Q Religious --
13 A It says adult student housing. It's
14 adult students.
15 Q Adult religious students, right?
16 MS. NAPP: Object to the form.
17 A No, it could be any adult students I
18 believe. If a piece of property is designated
19 for adult student housing, it could be any adult
20 students I would imagine.
21 Q Adult students associated with what,
22 school or --
23 A Any kind of school.
24 Q But you know, though, isn't it true
25 that the adult student housing in Ramapo was

92

1 - Rita Louie -
2 designed to house Orthodox, Hasidic Jews, right?
3 MS. NAPP: Object to the form.
4 A No.
5 Q You don't know that?
6 A No.
7 Q You do know that the intended
8 residents of Patrick Farms was going to be
9 Orthodox, Hasidic Jews, right?
10 MS. NAPP: Object to the form.
11 A I didn't know that until it came up
12 before the planning board, no.
13 Q But you ultimately found out, right?
14 A Only when the developer himself said
15 so.

FinalRitaLouie.txt

16 Q You think Mr. St. Lawrence caters to
17 the Orthodox Jewish voting bloc?

18 MS. NAPP: Object to the form.

19 A No, not necessarily.

20 Q Well, what do you mean by not
21 necessarily?

22 A I think he caters to developers like
23 any town supervisor because they bring him tax
24 revenue.

25 Q I think you testified, but I want to

93

1 - Rita Louie -

2 be clear. The Patrick Farm site was designated
3 as an adult student housing site in Ramapo,
4 correct?

5 MS. NAPP: Object to the form.

6 A I wasn't completely aware of that, no.
7 I thought it was designated as a multi-family
8 zone, that was my understanding.

9 Q Mr. Rhodes indicates in the third
10 paragraph that "This team has fought alongside
11 Preserve Ramapo and has proven that if necessary
12 it's up to the challenge to face a drawn out
13 RLUIPA battle that could compromise our zoning
14 and already overburdened infrastructure and water
15 supply."

16 Did I read that accurately?

17 A Yes.

18 Q How did you fight alongside Preserve
19 Ramapo to do that?

FinalRitaLouie.txt

20 MS. NAPP: Object to the form.
21 A I have no idea what he's referring to.
22 It's campaign rhetoric.
23 Q Okay, that's all I have on it.
24 Are you aware sitting as a board of
25 trustee member if the village has ever taken any

94

1 - Rita Louie -
2 action with respect to any other land use
3 development outside of the Village of Pomona?
4 MS. NAPP: Object to the form.
5 A Say that again. Repeat the question,
6 I'm sorry.
7 (The question was repeated.)
8 A Yes.
9 Q Can you tell me which projects that
10 would be?
11 A We have filed a lawsuit against the
12 developer of the Walmart property on 202 that
13 straddles the Town of Haverstraw and Town of
14 Ramapo.
15 Q When was that?
16 A That was over a year ago. I don't
17 remember when, the date exactly.
18 Q What was the basis of that lawsuit?
19 MS. NAPP: I'm just going to caution
20 you, Rita, not to divulge any information
21 that might have been conveyed to you by
22 counsel. Anything that you understand
23 independently you're free to explain to Mr.

FinalRitaLouie.txt

24 Stepanovich.

25 Q What do you understand the basis of

95

1 - Rita Louie -

2 the lawsuit to be?

3 A I understand the basis of the lawsuit
4 to be that the zoning board acted improperly in
5 changing the parking regulations on that
6 property.

7 Q Then is the issue of the lawsuit a
8 parking issue, a parking lot issue?

9 MS. NAPP: Object to the form.

10 A It's a zoning issue, yes.

11 Q That deals with parking?

12 A That deals with parking, parking and
13 density which are related.

14 Q So is it an issue that deals with the
15 number of parking spaces and spots?

16 A Yes.

17 Q What else?

18 A What else?

19 Q What other lawsuit are you familiar
20 with that the village has been involved in
21 outside of the village?

22 MS. NAPP: Object to the form.

23 A The village was a party to a lawsuit
24 against the development on Grandview Avenue.

25 Q Grandview?

FinalRitaLouie.txt

96

1 - Rita Louie -

2 A Grandview in Ramapo.

3 Q What is that about?

4 A I thought that was a multi-student --
5 a multi-family housing project.

6 Q Was that an adult student housing
7 project?

8 A I don't know if we ever called it
9 adult. Maybe it was an adult student housing
10 project. You know what, I don't remember.
11 There's so many things.

12 Q Do you remember, what is your
13 understanding of the basis of that lawsuit?

14 MS. NAPP: Again, same caution.

15 A Again, I believe my understanding of
16 that lawsuit was the amount of density on the
17 project, that it was not in keeping with the
18 area.

19 Q Was that the Mosdos property?

20 A Mosdos, yes.

21 Q What do you mean it was not in keeping
22 with the property, what do you mean by that?

23 A That it was not -- the zoning or the
24 density of the project was very dissimilar to
25 surrounding properties.

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1 - Rita Louie -

2 Q Was this a property in Ramapo?

3 A Yes.

FinalRitaLouie.txt

4 Q Do you recall the zoning of the area
5 where the land was located?

6 A I do not.

7 Q Do you know if it was an adult student
8 housing zone?

9 MS. NAPP: Object to the form.

10 A I don't recall.

11 Q What other instances has the village
12 taken action on outside of its property in
13 relationship to a land use matter?

14 MS. NAPP: Object to the form.

15 A Taken legal action on?

16 Q We could stay with that, legal action.

17 A I believe the village is also a party
18 to the lawsuit -- some lawsuits on the Patrick
19 Farm property.

20 Q What is your understanding of the
21 basis of those lawsuits?

22 A The basis of those lawsuits. My
23 understanding is that it is a -- also similar
24 action of the zoning board or town board that
25 downzoned the property in direct violation of

1 - Rita Louie -
2 their own comprehensive plan.

3 Q This is the Patrick Farm property we
4 are talking about?

5 A Patrick Farm property, yes.

6 Q Any other lawsuits?

7 MS. NAPP: Object to the form.

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8 FinalRitaLouie.txt
Q That you're familiar with.
9 MS. NAPP: Same objection.
10 A I can't think of any right now.
11 Q Are you familiar with the Nike site
12 development?
13 A The Nike site development?
14 Q Yes.
15 A Isn't that the same as the Mosdos?
16 Q That's what I was going to ask you.
17 A Oh, okay. Yes.
18 Q I just wanted to make sure we were
19 talking about the same thing.
20 A Okay.
21 Q Are you familiar with the Bobover
22 Yeshiva? I'm probably not saying that right
23 obviously.
24 A I remember the name, but I don't know
25 at the moment which project that is.

99

1 - Rita Louie -
2 Q That project would have been a project
3 outside of the Village of Pomona?
4 A Yes.
5 Q Other than recognizing the name, do
6 you have any recollection of that?
7 A No, that was sometime ago.
8 Q When did you begin your campaign for
9 the election in 2007?
10 A It would have been sometime in January
11 2007.

FinalRitaLouie.txt
12 Q why did you run for the board of
13 trustees in 2007?
14 A Because I wanted to represent my
15 village.
16 Q What was it that you felt you had to
17 offer the citizens?
18 A I felt as a builder myself or as a
19 construction manager I was very familiar with
20 development. I was also familiar with the
21 village and the character of the village. I love
22 the Village of Pomona, I loved all the people
23 there. I specifically moved to Pomona in 1993
24 and built my house there up on that hill because
25 I wanted to be in that village. And I felt like

100
1 - Rita Louie -
2 I could give back to the village by being a
3 trustee.
4 Q You used the word character of the
5 village or actually the term character of the
6 village. What do you mean by that?
7 A It's very difficult to explain Pomona
8 unless you live there and you've been there,
9 because it's not just a place where you live and
10 have your house. It's kind of like a state of
11 mind. It has trails and mountains and sunsets
12 and, you know, it's just a really pretty bucolic
13 place.
14 Q When you say character that's what
15 you're referring to, character of the village?

FinalRitaLouie.txt
16 A Yes.
17 Q The Tartikov project then in 2007,
18 when you ran, and I think you've testified and
19 I'm not trying to go over this a million times,
20 but it was in your opinion one of the issues that
21 was important, correct?
22 MS. NAPP: Object to the form.
23 A It was one of the issues, yes.
24 Q Citizens of Pomona expressed their
25 concerns to you about that Tartikov plan, right?

101
1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A Citizens expressed concern about all
4 the development that was going on at the time or
5 proposed development, potential development.
6 Q Beside the Tartikov project, what
7 proposed development were the citizens talking to
8 you about?
9 A There wasn't anything proposed as much
10 as there was potential. Patrick Farm, Halley II,
11 certainly the Walmart project down on 202.
12 Q Was the Walmart project a project back
13 in 2007?
14 MS. NAPP: Object to the form.
15 A It was a potential project because it
16 was open space.
17 Q And so what were the citizens telling
18 you about that open space, what did they tell
19 you?

20 FinalRitaLouie.txt
MS. NAPP: Object to the form.
21 Q You can answer if you understand.
22 A The question is too big.
23 Q Did the citizens want you to preserve
24 the open space?
25 MS. NAPP: Object to the form.

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1 - Rita Louie -
2 Q Is that what it was, did the citizens
3 say, look, we want to know what your position is
4 on the open space, did they say that?
5 MS. NAPP: Object to the form.
6 A Yes, that question was asked.
7 Q Did they want to know what your
8 position was on open space?
9 A Yes.
10 Q What was your position on open space
11 back in 2007?
12 A My position on open space was that if
13 it was zoned for -- if the walmart property was
14 zoned for, you know, shops, that we would fight
15 to make sure that that shopping center was built
16 according to the current zoning and kept in scale
17 with what the current zoning called for. If the
18 property was zoned for one or two acre zoning,
19 that we would fight to make sure that whatever
20 was built there is consistent with the zoning
21 that it was zoned for.
22 Q You used the word fight. Is it fair
23 to say your position back then - and it may be

FinalRitaLouie.txt
24 today, but I'm just concerned with it back then
25 in 2007 - was that you would fight to enforce the

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1 - Rita Louie -
2 village's zoning code?
3 A Absolutely.
4 Q What was your party affiliation back
5 in 2007?
6 A Major party?
7 Q No, your party affiliation that you
8 ran for in 2007 for the board.
9 A It was the Village Community Party.
10 Q Was Mr. Sanderson also a member of
11 that party?
12 A Yes.
13 Q And Mr. Yagel?
14 A Yes.
15 Q Was anybody else a member of the
16 Village Community Party?
17 A No, just the three of us.
18 Q Was that a party that was formed in
19 2007?
20 A Yes.
21 Q Formed by you, Mr. Sanderson and Mr.
22 Yagel?
23 A Yes.
24 Q Did you run with that party
25 affiliation when you ran for reelection?

FinalRitaLouie.txt

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- Rita Louie -

A Yes.

MR. STEPANOVICH: (Handing document to
be marked.)

(Whereupon, Email dated 8/3/07, Bates
No. POM21331, was marked Plaintiff's Exhibit
269 for identification.)

Q When you ran for election in 2007 did
you believe that the village was at a crossroads?

MS. NAPP: Object to the form.

Q You understand what I mean by the word
crossroads?

A Yes.

Q Did you believe that the village was
at a crossroads in 2007?

A Yeah, I think I did.

Q What do you mean by that?

MS. NAPP: Object to the form.

Q What did you mean by the village being
at a crossroads back in 2007 when you ran for
election?

A At the time it was at the beginning of
there being a lot of -- there being a lot of
potential for large development surrounding the
village and that was concerning a lot of people.

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- Rita Louie -

Q In what respect?

A Well, we have gone over this before.
That people in the village were concerned that

FinalRitaLouie.txt

5 the surrounding areas were starting to develop
6 shopping centers and housing developments. And
7 they were concerned about the Village of Pomona
8 being caught in that crossroad.

9 Q What is it that the Village of Pomona
10 could do about the surrounding areas' zoning,
11 what were you going to accomplish?

12 MS. NAPP: Object to the form.

13 Q Do you understand the question?

14 A Yes. I mean we could just voice our
15 opinion as an adjacent municipality or as
16 concerned citizens of the area. We have that
17 right as Americans.

18 Q What right?

19 A To voice our opinion.

20 Q The Village of Pomona, though, can't
21 officially affect a neighboring village or town's
22 zoning, can it?

23 MS. NAPP: Object to the form.

24 A If we could legally have any
25 influence, we would submit comments like any

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1 - Rita Louie -
2 citizen of the area, sure.

3 Q The comments that you would submit
4 would be what, official comments from the Village
5 of Pomona?

6 MS. NAPP: Object to the form.

7 A Personally I would submit comments
8 from me personally as a citizen of the town or

FinalRitaLouie.txt

9 the area.

10 Q Did you ever do that, submit personal
11 comments regarding surrounding development?

12 A Sure, yeah.

13 Q In what instances?

14 A I've spoken vehemently against the
15 Patrick Farm downzoning and I spoke vehemently
16 about -- against the building of Boulder Stadium.
17 Also have spoken out and written comments about
18 the walmart property development and against the
19 building of the desalinization plant on the
20 Hudson River, to name a few.

21 Q Since you've been on the Village Board
22 of Trustees has the village officially voiced its
23 opinion regarding adjacent development?

24 MS. NAPP: Object to the form.

25 Q Because you talked about earlier the

107

1 - Rita Louie -

2 lawsuits. What I'm asking you now, has the
3 village ever sort of passed an official
4 resolution, we're opposed to a certain kind of
5 development in any adjacent municipality?

6 MS. NAPP: Object to the form. You
7 can answer if you understand the question.

8 A Yes, I believe we have submitted
9 comments about certain projects in other areas of
10 the county.

11 Q Do you recall which ones?

12 A Not off the top of my head.

FinalRitaLouie.txt

13 Yes, we have a resolution -- we did
14 submit a resolution against the desalinization
15 plant. I believe we -- off the top of my head I
16 can't think of them. But we absolutely have
17 issued resolutions against projects in other
18 parts of the county.

19 Q I hand you what's been marked as
20 Plaintiff's Exhibit 269, and ask you to look at
21 that. And specifically I'm just going to ask you
22 a question on the second page.

23 A (Complying.)

24 Q Do you recognize what's set forth
25 there under your name, Louie Election Video?

108

1 - Rita Louie -

2 A Yes.

3 Q Was that your election video
4 transcript?

5 A I believe so. I don't remember it
6 verbatim. But if this is what they say it is, it
7 must be.

8 Q As you indicated, the election 2007
9 was a -- the village was at a crossroads. And
10 the election was a very important election. Do
11 you agree with that?

12 MS. NAPP: Object to the form.

13 A Every election is an important
14 election.

15 Q But that one especially in 2007, was
16 that a critical election?

FinalRitaLouie.txt

17 MS. NAPP: Object to the form.

18 A I would say it was equally as
19 important as any other. But for me personally it
20 was critical because it was the first time I was
21 running, sure.

22 Q One of the issues, as you testified,
23 was the Tartikov project; is that right?

24 MS. NAPP: Object to the form.

25 A Yes, that was one of the issues.

109

1 - Rita Louie -

2 Q Were you concerned that the Tartikov
3 project would completely change the village and
4 the makeup of the village?

5 MS. NAPP: Object to the form.

6 A I was concerned that any large project
7 adjacent to the village could completely change
8 the village, yes.

9 Q What about change the makeup of the
10 village?

11 MS. NAPP: Object to the form.

12 A I don't know what you mean by that.

13 Q Well, if you go to the first page,
14 Mrs. Louie, under Mr. Sanderson's election video,
15 third paragraph. "This election is critical for
16 the village. We are facing a huge proposed, or
17 as yet un-proposed development that has been
18 leaked, that could completely change the village
19 and the makeup of the village."

20 Did I read that accurately?

FinalRitaLouie.txt

21 A Yes.
22 Q Do you know what he meant by that?
23 MS. NAPP: Object to the form.
24 A Not specifically.
25 Q What do you know about that phrase,

110

1 - Rita Louie -
2 that the huge proposed or yet un-proposed
3 development that was leaked could completely
4 change the village and the makeup of the village;
5 what did you understand in that regard?
6 MS. NAPP: Object to the form.
7 A These are not my words, so I can't...
8 Q But Mr. Sanderson was on your slate,
9 right?
10 A Yeah.
11 Q Did you talk at all to Mr. Sanderson
12 about how this election could completely change
13 the village and the makeup of the village?
14 MS. NAPP: Object to the form.
15 A How this election?
16 Q Strike that.
17 Did you talk at all with Mr. Sanderson
18 about how the Tartikov project would change the
19 village and the makeup of the village?
20 MS. NAPP: Object to the form.
21 A He could be talking about one of
22 several developments in this paragraph, not
23 specifically the Tartikov project. Because there
24 were several huge pieces of undeveloped land,

FinalRitaLouie.txt

25 including the walmart property, including the

111

1 - Rita Louie -

2 Patrick Farm property, including the Tartikov
3 property, that had potential to have large
4 developments on them that could completely change
5 the village, yes.

6 Q Back in 2007?

7 A Yes.

8 Q These other projects, besides the
9 Tartikov project, they weren't located in the
10 village, were they?

11 A No.

12 Q So the only project that had the
13 potential of changing the village and the makeup
14 of the village was the Tartikov project, right?

15 MS. NAPP: Object to the form.

16 A You know what, I'm not going to try
17 and get inside Nick Sanderson's head and what he
18 said in 2007, so I'm not going to answer.

19 Q Were you concerned about who was going
20 to be moving in if the Tartikov project was
21 approved?

22 MS. NAPP: Object to the form.

23 A I have no way of knowing, because I
24 had no knowledge of what the project was going to
25 be.

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FinalRitaLouie.txt
- Rita Louie -

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Q Well, you knew it was a rabbinical college, right?

A I knew it could possibly potentially be a rabbinical college.

Q And you know rabbis are generally Orthodox or Hasidic Jews, you know that, right?

MS. NAPP: Object to the form.

A Yes, of course.

Q And also other Jews, right?

A Of course.

Q You understand that rabbis are associated with the Jewish faith and religion, right?

A Of course, yes.

Q You also knew back in '07 that this project had a housing component, right?

A Not necessarily. I didn't know. I had no idea what this project was. And to this day still have no idea what this project is.

Q But you were vehemently opposed to it, though, weren't you?

MS. NAPP: Object to the form.

A No, I was not. I was vehemently opposed to any overdevelopment that wasn't in --

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- Rita Louie -

that wasn't consistent with the zoning that it was designated for at the time or today.

Q You know that the site is about 100

FinalRitaLouie.txt
9 A I don't know.
10 Q Did you send it out by email?
11 A I don't remember if this ever went out
12 or not to the residents or to the voters.
13 Q March 17th was right before the
14 election, right?
15 A Yes.
16 Q When was the election, you remember?
17 A March 20th I think it was. Or March
18 21st. I don't remember the date of the election.
19 Q At the time that was after the
20 endorsement of yourself, Mr. Sanderson and Mr.
21 Yagel by Preserve Ramapo; is that right?
22 A Yes.
23 Q What relationship did you have with
24 the Coalition to Keep Ramapo Green?
25 A I don't even remember what that group

115
1 - Rita Louie -
2 was. I think it was a very small grass roots
3 organization, but I have no idea who they are.
4 Q Did it have anything to do with
5 Ladentown?
6 A Possibly.
7 Q You write "Preserve Ramapo and the
8 Coalition to Keep Ramapo Green have endorsed the
9 Village Community Party because they believe our
10 party will most effectively be able to defeat any
11 developers who plan to take over our village and
12 our area," correct?

FinalRitaLouie.txt
13 A Correct.
14 Q "We have the plan, the experience, the
15 knowledge, the legal counsel and the guts,"
16 right?
17 A Correct.
18 MS. NAPP: Object to the form.
19 Q What was your plan?
20 MS. NAPP: Object to the form.
21 A I have no idea. Again, it's campaign
22 speak.
23 Q So that sentence then, "We have the
24 plan, the experience, the knowledge and the legal
25 counsel and the guts," you are saying that's all

116
1 - Rita Louie -
2 campaign rhetoric?
3 A Sure, yes.
4 Q why did you need campaign rhetoric?
5 A Because we were running for election.
6 Q And you wanted to get elected?
7 A Yes.
8 Q I want to be accurate here. Did you
9 have a plan back in '07?
10 MS. NAPP: Object to the form.
11 A We did not have a structured plan for
12 anything. We just wanted to win the election.
13 Q So then were you lying when you said
14 we have a plan?
15 MS. NAPP: Object to the form.
16 A We weren't lying. We were just saying

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17         we want to get elected. FinalRitaLouie.txt
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18 Q So you would say whatever you needed
19 to say to get elected?

20 MS. NAPP: Object to the form.

21 A Yeah. At that time, yeah.

22 Q Down at the end, towards the end there
23 it says, "So if you want more of the same, go
24 ahead and let the incumbents stay in office.
25 Then we'll all have to move."

1 - Rita Louie - 117

2 what did you mean by that, we'll all
3 have to move? why would you have to move?

4 A If the -- the people who live in the
5 village of Pomona live there because of the place
6 that it is. That it's bucolic, that it's rolling
7 hills, that it's quiet. And if there's a huge
8 shopping center going in with big trucks or a
9 huge housing development going in on the other
10 side and another huge housing development going
11 in on the other side and a school being built on
12 another border, the village would in fact not be
13 the place where we lived. And that is exactly
14 what I meant.

15 Q There's no zoning in the Village of
16 Pomona for a Walmart, right?

17 A No, there isn't.

18 Q And there wasn't any zoning for
19 commercial use like that back in '07, was there?

20 A No.

FinalRitaLouie.txt
21 Q So Pomona is just zoned for what,
22 residential?

23 A Yes.

24 Q Any other kind of zoning in Pomona?

25 A No, not right -- well, we have

1 - Rita Louie - 118
2 churches, we have religious institutions.

3 Q And residential, right?

4 A And residential, yeah.

5 Q So based on the zoning then in '07, it
6 wasn't possible for walmart to be built in
7 Pomona, right?

8 MS. NAPP: Object to the form.

9 A Correct, but I was talking about on
10 the borders of the village. If you read my
11 rhetoric correctly, it says irresponsible
12 development along our borders.

13 Q where do you say that? I'm sorry.
14 Oh, I see, along our borders. Yeah, but at the
15 very beginning you talk about -- you say,
16 "Because they believe our party will most
17 effectively be able to defeat any developers who
18 plan to take over our village," and I'll give you
19 this, "and our area."

20 But you are also referring about
21 developers taking over our village, right?

22 MS. NAPP: Object to the form.

23 A Correct.

24 Q And at the time in '07 there was no

FinalRitaLouie.txt

2 this before, I'm sure?

3 A Yes.

4 Q This was your campaign literature that
5 was distributed; is that right?

6 A Correct.

7 Q The second page, the first column
8 there. It references the rabbinical college of
9 Tartikov plan, doesn't it?

10 A Yes, it does.

11 Q The third paragraph says, "From what
12 we know of the plan as it has been leaked to the
13 public, it will have real environmental and
14 safety problems."

15 what environmental problems were you
16 aware of?

17 A I have no idea. I don't recall what
18 this was referencing at the time.

19 Q Well, you saw this pamphlet before it
20 went out, right?

21 A Yes.

22 Q You approved it, right?

23 A Yes.

24 Q And you've already testified that you
25 had no idea what was planned by the rabbinical

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1 - Rita Louie -

2 college, right?

3 A Yes. Right.

4 Q So how is it that you would have an
5 idea that there were real environmental problems?

FinalRitaLouie.txt

6 MS. NAPP: Object to the form.

7 A It was just project -- conjection
8 (sic). It was saying from what we know of the
9 plan that was leaked to the public.

10 Q But I thought you testified you didn't
11 know anything about the plan?

12 A We've never seen the plan.

13 Q So what did you know about the plan?

14 MS. NAPP: Object to the form.

15 A Rumors, like everybody else in the
16 community.

17 Q Then I'm just trying to focus in on
18 what it was that formed the basis for you saying
19 in your election material that the project was
20 going to have real environmental problems?

21 A Like I said, it was conjecture. It
22 had potential to have environmental problems.

23 Q How do you know that?

24 MS. NAPP: Object to the form.

25 A We didn't know.

122

1 - Rita Louie -

2 Q But you knew that the proposal was
3 going to include housing, right?

4 MS. NAPP: Object to the form.

5 A No, we didn't know.

6 Q You didn't know that it was going to
7 include housing for adult students and their
8 families?

9 A We only knew what the rumor mill was
Page 106

FinalRitaLouie.txt

10 telling us and telling the residents.

11 Q But you say here in the second
12 paragraph of this that you knew that it was going
13 to be -- the village was going to be faced with a
14 proposal for a huge development that will include
15 housing for thousands of adult students and their
16 families, right?

17 A Yes, but that was just a rumor. We
18 had no proof of that. It was just what people
19 were saying.

20 Q Did you attend the village board
21 meeting on January 22nd, 2007?

22 A January 22nd, 2000 -- I don't recall
23 if I was there.

24 Q It was a packed board meeting where
25 the village actually took action on a zoning law.

123

1 - Rita Louie -

2 Do you recall being there?

3 MS. NAPP: Object to the form.

4 A I don't remember that, no.

5 Q Have you ever heard Mr. Savad speak in
6 front of a board of trustees meeting?

7 A I'm not sure I know which person Mr.
8 Savad is.

9 Q You know the name, though, Paul Savad?

10 A Yes.

11 Q You know he was the attorney, one of
12 the attorneys in this case actually, but he was
13 the attorney that made presentations in front of

FinalRitaLouie.txt

14 the board, did you know that?

15 A I believe he's an attorney in the
16 county who represents a lot of different people.
17 That's how I know the name.

18 Q What was it that you knew about the
19 plan that formed the basis for you and your slate
20 of candidates indicating that the plan would have
21 real safety problems?

22 MS. NAPP: Object to the form.

23 Q I'm again referring to paragraph three
24 there.

25 MS. NAPP: Object to the form.

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1 - Rita Louie -

2 A We only knew what the rumor mill was
3 spilling out. And we knew it had a potential of
4 going above and beyond our current zoning and
5 that would have environmental problems.

6 Q When you say you knew it had the
7 potential for going above the current zoning,
8 what do you mean by that?

9 A That's what the rumors were, that some
10 big housing development was going to come in and
11 challenge our zoning laws.

12 MR. STEPANOVICH: Can you read that
13 back, please?

14 (The answer was repeated.)

15 Q Where did you hear this?

16 A I am not sure.

17 Q You wouldn't have heard it at any

FinalRitaLouie.txt

18 board meetings because back in March you weren't
19 on the board, right?

20 A Correct.

21 Q So you would have had to hear this
22 from where, your friends and neighbors in the
23 community?

24 MS. NAPP: Object to the form.

25 A Possibly.

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1 - Rita Louie -

2 Q The third paragraph there, "You need
3 to vote for a team that is prepared to stand up
4 to this threat of using the fundamentally unfair
5 RLUIPA statute as a hammer against our village.
6 A team that is in it for the long term, and one
7 that has already prepared themselves with a
8 strategy to fight for Pomona."

9 Did I read that accurately?

10 A Yes.

11 Q What was the strategy that you had
12 already prepared to fight for Pomona?

13 A Our main strategy was that we would
14 not back down against our zoning laws.

15 Q In other words, let me see if I
16 understand that correctly, your strategy was to
17 enforce your zoning laws?

18 MS. NAPP: Object to the form.

19 A Correct.

20 Q Why?

21 A Because that's the basis of what the
Page 109

FinalRitaLouie.txt

22 village of Pomona was formed on.

23 Q To do what?

24 A To be a mountainous, bucolic, one acre
25 zoned, rural setting.

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1 - Rita Louie -

2 Q Back then you thought, and I'm just
3 concerned with that time frame back in '07. You
4 thought that the RLUIPA statute was fundamentally
5 unfair?

6 A Yes.

7 Q Why?

8 A From what I've read, the RLUIPA
9 statute was being used in many areas of the
10 country to bring in huge developments, mega
11 churches, in very small towns and disrupting
12 those communities.

13 Q How was it disrupting those
14 communities?

15 A By bringing in huge mega churches in
16 very small towns that are used to a simple way of
17 life.

18 Q So is that what you mean when your
19 literature, your campaign literature uses the
20 term "as a hammer against our village"?

21 MS. NAPP: Object to the form.

22 Q Strike that.

23 What did you mean that RLUIPA was
24 going to be used as a hammer against our village,
25 what did you mean by that?

FinalRitaLouie.txt

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1 - Rita Louie -

2 A I meant -- we meant -- we meant --

3 Q Of course, I recognize that.

4 A No developer was going to come in
5 under a fundamentally flawed statute to try and
6 build some mega development in the middle of our
7 little simple village.

8 Q But at the time RLUIPA was a federal
9 law, right?

10 A And it still is, yes.

11 Q So what's the fundamental flaw in the
12 law?

13 A You know what, I'm not a lawyer, so I
14 don't know what it is. But that has yet to be
15 seen.

16 Q What has yet to be seen?

17 A I guess what the fundamental flaw is.

18 Q You've testified earlier that the
19 proposed project of Tartikov was to be -- you
20 used different terms. It was one of the issues
21 that was important in the campaign, right?

22 A Yes.

23 Q Then why did your campaign write under
24 issues, "The single most important issue facing
25 the village is clearly the Tartikov development"?

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1 - Rita Louie -

2 FinalRitaLouie.txt
MS. NAPP: Object to the form.

3 A And the next line says, "However,
4 other issues that face us are," and there are
5 several other issues.

6 Q Well, I agree it sure says it. But it
7 also says -- it also doesn't say that those other
8 issues are the single most important issue facing
9 the village, right?

10 A Yes.

11 MR. STEPANOVICH: (Handing document to
12 be marked.)

13 (Whereupon, Campaign Literature,
14 Candidate Endorsement, Bates No. POM20296,
15 was marked Plaintiff's Exhibit 272 for
16 identification.)

17 Q I'm handing you, Mrs. Louie, what's
18 been marked as Plaintiff's Exhibit 272, and ask
19 you to take a look at that?

20 A (Complying.)

21 Q Have you ever seen this before,
22 Exhibit 272?

23 A Yes.

24 Q Do you know who wrote it?

25 A No, I don't.

129

1 - Rita Louie -

2 Q Did you and your other slate of
3 candidates seek the endorsement of the Republican
4 Party?

5 A I did not.

FinalRitaLouie.txt

6 Q Do you know whether or not Mr.
7 Sanderson or Mr. Yagel did?

8 A I don't know how this endorsement came
9 about.

10 Q But you recall being endorsed by the
11 Republican Party; is that right?

12 MS. NAPP: Object to the form.

13 A I recall seeing this endorsement
14 letter come out, yes.

15 Q Did you supply any information to the
16 Republican Party to be used in drafting this
17 endorsement?

18 A No.

19 Q Do you know who did?

20 A No.

21 MR. STEPANOVICH: (Handing document to
22 be marked.)

23 (Whereupon, Note to Rita, Bates No.
24 POM20311, was marked Plaintiff's Exhibit 273
25 for identification.)

130

1 - Rita Louie -

2 Q I'm handing you what's been marked as

3 Plaintiff's Exhibit 273, and ask if you can take

4 a look at that?

5 A (Complying.)

6 Q Have you ever seen this exhibit

7 before, 273?

8 A I don't remember this.

9 Q So you don't ever remember seeing this

FinalRitaLouie.txt

10 before?

11 A Well, I see it's addressed to me, but
12 I don't remember seeing this.

13 Q And you don't know who wrote this?

14 A No, I do not know who wrote this.

15 Q Well, they reference at the very
16 beginning at the top, "forged signatures in
17 petitions." Do you know anything about that?

18 A No, I know nothing about that.

19 Q And did you recall back during the
20 campaign that there were some issues with Mr.
21 Marshall's campaign signs along --

22 A I do not remember that, no.

23 Q -- along the rabbinical college
24 property, do you remember that?

25 A Nope, I do not remember this.

131

1 - Rita Louie -

2 Q The second full paragraph from the
3 bottom indicates that "At the opening of the
4 cultural center in February I and Nick overheard
5 the mayor discussing with another resident, whom
6 I later located in the village in my door to door
7 campaigning, that overtures with the Tartikov
8 College had been made. I will swear in court to
9 this."

10 Did you recall hearing anything about
11 that, overtures with the Tartikov College being
12 made between Mayor Marshall and representatives
13 of the college?

FinalRitaLouie.txt
14 A I don't remember hearing anything
15 about this. This is a complete surprise to me,
16 this email.
17 Q Could this have been written by Brett
18 Yagel?
19 MS. NAPP: Object to the form.
20 A I have no idea who could have wrote
21 this.
22 Q So you've never seen this before?
23 A No. Not that I remember.
24 Q To the best of your recollection
25 you've never seen this before?

132
1 - Rita Louie -
2 A To the best of my recollection I don't
3 remember seeing this.
4 Q I think you've answered this. But did
5 you know that Herb Marshall's signs were on the
6 Tartikov property?
7 A You know, if I remember correctly, I
8 remember something about that, that some of our
9 opponent's signs were along 306 and somebody had
10 made a comment about it.
11 Q Do you know who made that comment?
12 A No, I don't remember. It really was
13 not a big deal.
14 Q Are you involved at all with the
15 cultural center in the Village of Pomona?
16 A Yes.
17 Q When did your involvement begin?

FinalRitaLouie.txt

18 A when I first became a trustee.

19 Q So that would have been back in

20 April --

21 A '07, '08.

22 MR. STEPANOVICH: (Handing document to

23 be marked.)

24 (Whereupon, Campaign Literature, Bates

25 No. POM33090, was marked Plaintiff's Exhibit

133

1 - Rita Louie -

2 274 for identification.)

3 Q I'm handing you now what's been marked

4 as Plaintiff's Exhibit 274, and ask if you have

5 ever seen that before?

6 A (Perusing document.) It looks

7 familiar, yes.

8 Q would this have been part of your

9 campaign literature?

10 A Yes, most probably.

11 Q About seven bullets down. Indicates

12 that you will or your slate will "Be proactive in

13 creating a legal defense fund that will grow in

14 the years prior to major legal expenses being

15 incurred fighting development that is not in

16 accordance with our zoning. We must start

17 preparing now. And to that end we will retain,

18 as a village, the most expert constitutional

19 special counsel to advise us on this flawed, but

20 well intended, RLUIPA statute."

21 Did I read that accurately?

FinalRitaLouie.txt
22 A Yes.
23 Q And did you and Mr. Yagel and Mr.
24 Sanderson actually retain special counsel?
25 MS. NAPP: Object to the form.

134

1 - Rita Louie -

2 Q To advise you on the flawed but well

3 intended RLUIPA federal statute?

4 A Yes.

5 Q Who was that?

6 A We reached out to Marci Hamilton.

7 Q Do you know, was it you or Mr.

8 Sanderson or Mr. Yagel that did that?

9 A I believe it was Mr. Sanderson.

10 Q Then ultimately you three - Mr.

11 Sanderson, Mr. Yagel and yourself - then actually

12 retained Marci Hamilton; is that right?

13 MS. NAPP: Object to the form.

14 A I was not -- yes, as the Village

15 Community Party, yes, we did.

16 Q So is it your understanding that it

17 was the Village Community Party that retained

18 Marci Hamilton?

19 MS. NAPP: Object to the form, timing.

20 Q Back in '07 when you were running.

21 A Yes. For advice, yes.

22 Q Advice on what?

23 A The RLUIPA statute.

24 Q What was it that you were trying to

25 find out about regarding the RLUIPA statute?

FinalRitaLouie.txt

135

1 - Rita Louie -

2 MS. NAPP: I'm going to object here
3 and direct Miss Louie not to answer on the
4 basis of the privilege as we've discussed
5 earlier.

6 MR. STEPANOVICH: Fair enough.

7 Q Just a couple of other questions.

8 Do you recall signing a retainer
9 agreement with Miss Hamilton?

10 A I do not.

11 Q Do you recall ever seeing a retainer
12 agreement with Miss Hamilton?

13 A No, I do not.

14 Q Do you recall who amongst your slate
15 of candidates actually talked with Miss Hamilton
16 in order to obtain her services?

17 MS. NAPP: Object to the form.

18 Q You didn't talk with her, correct?

19 A I did not speak with her.

20 Q Do you know whether or not it was Mr.
21 Sanderson or Mr. Yagel?

22 A I don't know, no.

23 MS. SOBEL: If I could just state for
24 the record that we've agreed with opposing
25 counsel since this issue is going to be

136

1 - Rita Louie -

2 written on to the Court that we are
Page 118

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3 agreeing, we are not agreeing with, we are
4 agreeing to your objecting right now. We
5 are not going to seek to call the Court
6 right now, instead it will be part of the
7 letter. And when that issue is resolved we
8 will seek to have questioning on this topic,
9 assuming that that is what is permitted by
10 the Court.

11 MS. NAPP: Agree with that statement.

12 MR. STEPANOVICH: (Handing document to
13 be marked.)

14 (Whereupon, Campaign Literature, Bates
15 No. POM20516, was marked Plaintiff's Exhibit
16 275 for identification.)

17 Q I'm handing you what's been marked as
18 Plaintiff's Exhibit 275, and ask if you've seen
19 that before?

20 A (Perusing document.) I'm not sure
21 what this is from. It has no reference.

22 Q I'm giving it to you as it was turned
23 over to us by the village. I'm not withholding
24 any papers there. That's how it was given to us.

25 If you could look at what's described

137

1 - Rita Louie -

2 as Rita's Blurb, if could you read that?

3 A (Complying.) Okay.

4 Q Does that look familiar to you?

5 A It sounds like something I would say,
6 yes.

FinalRitaLouie.txt

7 Q You indicate that "The village of
8 Pomona is a cultural, ethnic and religious model
9 of diversity."

10 Can you explain to me how the village
11 of Pomona is a cultural, ethnic and religious
12 model of diversity?

13 A That's also a pretty big question.
14 The village of Pomona, although small, has
15 residents of every ethic background, religious
16 background, cultural background. We have
17 artists, we have musicians. We're a very small
18 village, we are sort of a microcosm of ethnic,
19 cultural and religious diversity.

20 Q Are there Hasidic Jews living in the
21 Village of Pomona?

22 A Possibly.

23 Q Do you know of any?

24 A I don't know any Hasidic Jews
25 personally who live in the village.

138

1 - Rita Louie -

2 Q What about Orthodox Jews, do you know
3 whether or not any Orthodox Jews live in the
4 village?

5 A We definitely have some Orthodox Jews
6 living in the village, Reformed Jews, Greek
7 Orthodox, Reformed Christians. We have every --
8 many, many denominations of different religions.

9 Q What other backgrounds are you
10 familiar with that live in the Village of Pomona?

FinalRitaLouie.txt

11 MS. NAPP: Object to the form.

12 A We have Asians, we have Hindus, we
13 have white, black, Indian. We have many, many
14 diverse people.

15 Q Are there any Jewish synagogues in the
16 Village of Pomona?

17 MS. NAPP: Object to the form.

18 A No, not right now, no.

19 Q I think you testified earlier that you
20 oversee the cultural center, the Pomona cultural
21 center, right?

22 MS. NAPP: Object to the form.

23 A I don't think I ever said that.

24 Q Are you affiliated with the Pomona
25 cultural center?

139

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A As part of the Village of Pomona, yes.

4 Q What capacity do you have?

5 A I'm liaison with the art director and
6 the village board.

7 Q What does that mean?

8 A If the art director needs approval for
9 postcards and posters going out for his events, I
10 would approve them and talk to the art director
11 about the budget.

12 Q Can you give me some examples of some
13 of the events that have been held at the cultural
14 center that celebrate the different cultures in

FinalRitaLouie.txt

15 Pomona?

16 A We have art exhibits of all different
17 nature. We have Spanish dancing, Flamenco
18 dancing. You know, most of our exhibits are
19 pretty generic and not specifically geared
20 towards any culture.

21 Q Do you recall any Jewish events being
22 held at the cultural center?

23 A Like I said, not specifically a Jewish
24 event. We haven't had specifically any religious
25 events at the cultural center. We don't do that.

140

1 - Rita Louie -

2 Q Any event that's held at the cultural
3 center, is it sponsored by the village?

4 A Yes.

5 Q Has there ever been any issue with
6 sponsoring an event at the cultural center on a
7 Saturday?

8 A In terms of what?

9 Q Of it being in conflict with a Jewish
10 religious observance.

11 A We don't necessarily plan, schedule or
12 not schedule things based on religious
13 observances of any kind.

14 Q So Saturday is just another day of the
15 week?

16 MS. NAPP: Object to the form.

17 A More or less, for the most part.

18 MR. STEPANOVICH: (Handing document to
Page 122

FinalRitaLouie.txt

19 be marked.)
20 (Whereupon, Emails, Bates No.
21 POM16975, was marked Plaintiff's Exhibit 276
22 for identification.)
23 Q I'm handing you what's been marked as
24 Plaintiff's Exhibit 276. If you'll take a look
25 at that.

141

1 - Rita Louie -
2 A (Complying.)
3 Q Have you ever seen this before?
4 A Yes, it looks like I wrote it.
5 Q Yes, you wrote part of it?
6 A Part of it.
7 Q Who's Judy Fleischer?
8 A Judy Fleischer used to live in the
9 village I believe. She was a resident.
10 Q It looks like you're communicating
11 with her; is that right?
12 A Yes.
13 Q In the middle of this first page
14 there's an email from you to Judy, subject
15 RLUIPA, March 7th, 2007. You write, "Hi Judy, I
16 was forwarded a note you sent to Preserve Ramapo
17 regarding the Pomona election and wanted to
18 briefly respond."
19 So you were receiving communications
20 from Preserve Ramapo when you were running for
21 election, right?
22 MS. NAPP: Object to the form.

FinalRitaLouie.txt

23 A Well, it appears Preserve Ramapo may
24 have forwarded an email to me that they could not
25 answer and thought I could respond to better.

142

1 - Rita Louie -

2 Q Why did the email get forwarded to
3 you?

4 MS. NAPP: Object to the form.

5 A Because it was regarding the Pomona
6 election.

7 Q Was it also regarding the Tartikov
8 property?

9 A I don't know.

10 MS. NAPP: Object to the form.

11 Q You tell Judy in March of '07 that "We
12 are extremely well versed in the RLUIPA issues
13 and are ready to defend our village from
14 unnecessary overdevelopment that will change our
15 quality of life and threaten our environment."

16 You write that, correct?

17 A Correct.

18 Q You also write on the second page that
19 "Brett Yagel will be contacting you to discuss
20 our platform further. It might be helpful if you
21 or someone you know would be willing to host a
22 chat and chew to get these issue out more in the
23 public," right?

24 A Yes.

25 Q What issue were you trying to get out

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1 - Rita Louie -

2 into the public?

3 A Having not -- I don't see Judy's
4 original note here that is being referred to, so
5 I'm not a hundred percent sure what I was
6 referring to.

7 Q well, what else besides the Tartikov
8 project were you referring to in your email there
9 to her?

10 MS. NAPP: Object to the form.

11 A It says overdevelopment in our area,
12 so it could have been overall projects in the
13 general area, which is what I have always said
14 was my platform.

15 Q So it was projects in the area as
16 opposed to projects in your village, in the
17 village of Pomona?

18 A Correct.

19 Q why did you write in the very next
20 sentence, "We are extremely well versed in the
21 RLUIPA issues and we are ready to defend our
22 village from unnecessary overdevelopment that
23 will change our quality of life"?

24 A Because certainly there were several
25 projects in Ramapo and adjacent areas that RLUIPA

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1 - Rita Louie -

2 was being invoked in lawsuits, which would have

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3 been the reason we needed to be well versed in
4 the RLUIPA issues. And we would have been
5 professing in our campaign that we are getting
6 ahead of it in case this should occur in our
7 village also.

8 And referring to this email, I'm
9 pretty sure I was just trying to calm down a
10 resident who was concerned about development in
11 the area, nothing more than that.

12 Q And get her vote, right?

13 A And get her vote, right. And try to
14 convince her to have an event at her house to
15 help us get more votes.

16 Q At the very top she responds saying,
17 "It was great speaking with Brett. I will try to
18 inform anyone that I know that may be able to
19 vote as to what the issues are and why not to
20 vote for the incumbent." And then you respond,
21 "Thank you so much for your support. The issues
22 are so very important, we can't afford to go on
23 business as usual."

24 what was business as usual?

25 MS. NAPP: I'm just going to object.

145

1 - Rita Louie -

2 I think you read that first part of the
3 email wrong.

4 Q Then why don't you read the first --
5 your response then?

6 MS. NAPP: It was actually, "It was

FinalRitaLouie.txt
7 great getting to speak with Brett."

8 MR. STEPANOVICH: Yes, wo Brett.

9 A I don't know what that means, wo
10 Brett. I think that's a typo.

11 Q But anyway, thank you.

12 But the focus of my question is really
13 your response. You write, "Thank you so much for
14 your support. The issues are so very important,
15 we can't afford to go on business as usual. Rita
16 Louie."

17 what did you mean business as usual?

18 A The entire campaign was based on that
19 we wanted a change in the village, because the
20 incumbents were there for a very long time and
21 they had become complacent, there was no
22 communication with the residents, nothing was
23 happening in the village dynamically, events had
24 dwindled away. Across the board we were running
25 on a platform that we wanted to change the

1 - Rita Louie -

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2 village as far as that goes and didn't want to
3 have business as usual in village government.

4 Q None of that that you just defined as
5 business as usual was mentioned in your email to
6 Judy down below, was it?

7 MS. NAPP: Object to the form.

8 A No. But again having not seen -- not
9 seeing here the note that was sent from Judy, I
10 don't know what issues were originally -- she was

11 FinalRitaLouie.txt
concerned about.

12 Q Do you have any idea where the note is
13 from Judy?

14 A No.

15 Q So you were forwarded something from
16 Preserve Ramapo and that would have been the note
17 from Judy, right?

18 A Possibly, yeah.

19 Q But you don't have that note that was
20 sent to you by Preserve Ramapo?

21 A No, not that I know of.

22 Q On the bottom of the first page you
23 reference that you've retained prominent
24 development counsel to guide you through this
25 election as it relates to RLUIPA and development

147
1 - Rita Louie -
2 issues and you have a well thought out
3 comprehensive plan to deal with the issues coming
4 about without opening the village up to
5 unnecessary lawsuits; is that right? Is that
6 what you write?

7 A That's what I wrote, yes.

8 Q What was this well thought out
9 comprehensive plan to deal with the issues coming
10 about?

11 MS. NAPP: You can answer that
12 question as long as you don't divulge any
13 advice that might have been given to you by
14 Marcie. You can answer that to the best of


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FinalRitaLouie.txt
15 your own knowledge.
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16 A To the best of my knowledge I'm not
17 sure what that well thought out comprehensive
18 plan was, except to, as I've testified
19 previously, to uphold the zoning laws of the
20 village of Pomona.

21 Q And to keep the rabbinical college out
22 of Pomona?

23 MS. NAPP: Object to the form.

24 A That was not part of any plan,
25 absolutely not.

1 - Rita Louie - 148

2 Q Did it occur to you back then in 2007
3 that as an elected official it was your duty to
4 uphold a federal statute?

5 MS. NAPP: Object to the form.

6 A Yes, as an elected official it's my
7 duty to uphold all the laws of the state and
8 federal government.

9 Q It was your opinion back in '07 that
10 the RLUIPA statute was fundamentally flawed,
11 right?

12 A It's my opinion that there is a flaw
13 possibly in the statute, yes.

14 Q what is the flaw?

15 A I don't know what the flaw is, like
16 I've said, since I'm not an attorney. But the
17 RLUIPA statute has been used in communities
18 across the United States for religious

FinalRitaLouie.txt
19 institutions and some schools to build major
20 projects and circumvent zoning laws in small
21 towns.

22 Q So is that basically your explanation
23 of what the flaw is?

24 A That's my explanation of what the flaw
25 causes, but I don't know what the flaw is because

149
1 - Rita Louie -

2 that would be something that needs to be
3 litigated or needs a legal expert to decipher.

4 Q I think I understand what you're
5 saying. Let me try, but I'll give you an
6 opportunity obviously to correct me.

7 It's the consequence to the village
8 that you have a problem with when somebody uses
9 the RLUIPA statute?

10 MS. NAPP: Object to the form.

11 MR. STEPANOVICH: I don't blame you.

12 A I don't think I totally agree with
13 that, because I don't understand what the
14 question is.

15 Q Well, isn't it true, though, again
16 based on what you understand, I'm not trying to
17 get counsel's advice, you basically believe that
18 RLUIPA can be used to get something done in a
19 village that its zoning laws don't necessarily
20 permit?

21 MS. NAPP: Object to the form.

22 Q Is that right?

FinalRitaLouie.txt
23 A Yes, I do agree with that.
24 Q But you understand too that the basic
25 premise of RLUIPA is that the use has to be a

1 - Rita Louie - 150
2 religious use, do you understand that?

3 A Not necessarily. Isn't -- the RLUIPA
4 law, it's not just religious use. It's also for
5 schools and special needs I believe or group
6 homes, things like that. It's a very well
7 intentioned law.

8 Q So that's what you understand. You
9 understand then that the use is something beyond
10 a religious use?

11 A Yes.

12 Q And it's your understanding then that
13 a group or an applicant can use the RLUIPA
14 statute to build a group home in Pomona?

15 MS. NAPP: Object to the form.

16 A Well, I don't know. It's the
17 Religious Land Use and Institutionalized Persons
18 Act, so I would assume it also could be used to
19 circumvent zoning laws for institutionalized
20 persons.

21 Q Prisoners? That's what that means.

22 A Oh, possibly.

23 Q I'm just trying to focus in on this.

24 so do you believe or do you understand
25 that RLUIPA could be used in a village even if

FinalRitaLouie.txt

151

1 - Rita Louie -

2 it's not a religious use?

3 A Yes.

4 Q The property that you were referencing
5 in your email here is the Tartikov property,
6 right?

7 A It doesn't say that here.

8 Q But it could be?

9 A It could be, yeah.

10 Q What other property was potentially
11 the subject of a RLUIPA use back in March of '07
12 in the Village of Pomona?

13 MS. NAPP: Object to the form.

14 A It could have been the Patrick Farm
15 property.

16 Q Patrick Farms is not in the Village of
17 Pomona, right?

18 A No, it's not.

19 Q Could you think of any other property
20 in the Village of Pomona that potentially could
21 have a RLUIPA use?

22 MS. NAPP: Object to the form.

23 A Any property in Pomona could be
24 subject to a RLUIPA designation.

25 Q Isn't it true, though, that the

152

1 - Rita Louie -

2 property here that you're referring to, the
3 campaign signs that Mr. Marshall was displaying,
Page 132

FinalRitaLouie.txt

4 that was on the very -- that you say is on the
5 very property that everyone is concerned about.

6 Do you see that?

7 A Yes, I see that.

8 Q That's the Tartikov property, right?

9 A I think that was probably the Tartikov
10 property, sure.

11 Q And you said that you had heard that
12 Herb Marshall was putting up signs on the
13 Tartikov property. Where did you hear that from?

14 A I don't remember. Maybe it was from
15 this email.

16 Q At the end you write, "It might be
17 helpful if you or someone you know would be
18 willing to host a chat and chew to get these
19 issue out more in the public."

20 What issue are you referring to, the
21 Tartikov issue?

22 MS. NAPP: Objection.

23 A I don't know. I can't tell from this.
24 And it was so long ago I'm not going to imagine,
25 you know, which specific issues we were

153

1 - Rita Louie -

2 discussing.

3 Q You testified earlier that you didn't
4 have any -- I thought you testified you didn't
5 have any affiliation with Preserve Ramapo; is
6 that right?

7 A I said I was not a member of Preserve
Page 133

FinalRitaLouie.txt

8 Ramapo.

9 Q Do you know if Preserve Ramapo has
10 members?

11 MS. NAPP: Objection.

12 A I don't know if they have members or
13 if they're just a group of people.

14 MR. STEPANOVICH: (Handing document to
15 be marked.)

16 (Whereupon, Email dated 3/26/07, Bates
17 No. POM21291, was marked Plaintiff's Exhibit
18 277 for identification.)

19 Q I'm handing you now what's been marked
20 as 277. See if you can take a look at that?

21 A (Complying.)

22 Q This Judy, you write to Judy Fleis, I
23 mean jfleisc@optonline. Do you know if that's
24 the same Judy that you wrote to prior in 276 that
25 we were talking about?

154

1 - Rita Louie -

2 A Yes.

3 Q You indicate now the hard work begins.
4 what did you mean by that?

5 A The hard work of governing the
6 village.

7 Q Campaign is over, now it's time to go
8 to work so to speak. Is that what you mean?

9 A Yes.

10 Q You were indicating that you wanted
11 her help to get the word out and feedback. And

FinalRitaLouie.txt

12 you wanted to get some feedback; is that right?
13 A Correct.
14 Q So was it important that you stayed in
15 contact with the constituents; is that right?
16 MS. NAPP: Object to the form.
17 A Yes.
18 Q And you wanted to hear what the
19 constituents had to say regarding issues going on
20 in the village, right?
21 MS. NAPP: Object to the form.
22 A Yes.
23 Q Do you recall if Judy was opposed to
24 the rabbinical college project?
25 MS. NAPP: Object to the form.

155

1 - Rita Louie -
2 A I don't remember her being
3 specifically opposed to the rabbinical college,
4 no.
5 Q But she was definitely concerned about
6 the project, right?
7 MS. NAPP: Object to the form.
8 A She like many other residents in our
9 area were concerned about development in the area
10 overall.
11 Q Any kind of development?
12 A Development that was not in sync with
13 the zoning of the area.
14 MR. STEPANOVICH: (Handing document to
15 be marked.)

FinalRitaLouie.txt

16 (Whereupon, Campaign Literature, Bates
17 No. POM21311, was marked Plaintiff's Exhibit
18 278 for identification.)

19 Q I'm handing you what's been marked as
20 Plaintiff's Exhibit 278. See if you can
21 recognize that?

22 A Yes.

23 Q Was this one of your campaign
24 placards?

25 A Yes, that was our lawn sign.

156

1 - Rita Louie -

2 Q You indicate fighting for the future
3 of Pomona, right?

4 A Yes.

5 Q And what do you mean by that, fighting
6 for the future of Pomona?

7 A It's a campaign slogan.

8 Q Which means what?

9 A Which means fighting for the future of
10 Pomona.

11 Q Fighting to keep out the rabbinical
12 college?

13 MS. NAPP: Object to the form.

14 A No, fighting to keep Pomona Pomona.

15 Q What do you mean by that? What did
16 you mean by that?

17 A I meant fighting to keep Pomona the
18 village that it is and not change it.

19 MR. STEPANOVICH: (Handing document to
Page 136

FinalRitaLouie.txt

20 be marked.)
21 (Whereupon, Printout of Journal News
22 article, 4/2/07, Bates Nos. RC1682-83, was
23 marked Plaintiff's Exhibit 279 for
24 identification.)
25 Q I'm handing you now, Mrs. Louie,

157

1 - Rita Louie -
2 what's been marked as Plaintiff's Exhibit 279,
3 and ask if you've ever seen that before?
4 A I don't remember seeing this, no.
5 Q It was an article in the Journal News
6 I guess right after the election; is that right?
7 A Correct.
8 Q But you just don't recall seeing this?
9 A About two weeks after the election it
10 looks like. No, I don't remember seeing it.
11 Q I'll just ask you a couple of
12 questions about it. Down towards the bottom it
13 says, "Sanderson said he and his running mates
14 had studied the Religious Land Use and
15 Institutionalized Persons Act."
16 what did you do to study the Religious
17 Land Use and Institutionalized Persons Act?
18 MS. NAPP: Object to the form.
19 A I think that's just semantics. We
20 just educated ourselves on the statute as much as
21 we could.
22 Q How did you educate yourself? I'm not
23 asking you any questions about what any lawyer

FinalRitaLouie.txt

24 told you. How did you educate yourself, outside
25 of receiving counsel from an attorney?

158

1 - Rita Louie -

2 A Personally I looked up the law and
3 read it.

4 Q Did you do anything else in your
5 studies of the law?

6 A We did reach out to Marci Hamilton and
7 asked her about the background on it. That's
8 all.

9 Q Did you personally do any research
10 regarding other areas of the country that had
11 RLUIPA cases?

12 A I did not.

13 Q So the information you were talking
14 about earlier about other communities that had
15 RLUIPA cases, that information came to you from
16 someone else?

17 MS. NAPP: Object to the form.

18 A Probably while I was reading the
19 history of the RLUIPA law.

20 Q You said you read more than just the
21 law?

22 A I read more than just the law. How
23 the law came about and what it was.

24 Q And it's possible that you read about
25 some RLUIPA challenges in various parts of the

FinalRitaLouie.txt

159

1 - Rita Louie -

2 country?

3 A It's possible, but I don't remember
4 them specifically.

5 MR. STEPANOVICH: (Handing document to
6 be marked.)

7 (Whereupon, Posting, Bates No.

8 PROL0000006, was marked Plaintiff's Exhibit
9 280 for identification.)

10 Q I'm handing you what's been marked as
11 Plaintiff's Exhibit 280. Have you ever seen this
12 before?

13 A No, I have not.

14 Q "Rita from Pomona," is that you?

15 A Possibly, yeah.

16 Q "Defeat RLUIPA, new member, Rita from
17 Pomona."

18 A Uh-huh.

19 Q "Proud to be a new member of this
20 group. Let's keep recruiting from around the
21 country. We're all in this together," right?

22 MS. NAPP: Object to the form.

23 Q Is that what it says?

24 A Yes.

25 Q What do you mean by "we're all in this

160

1 - Rita Louie -

2 together"?

3 A I have no idea.

FinalRitaLouie.txt

4 Q Do you recall writing this?

5 A No, I don't.

6 There are several other people in

7 Pomona named Rita. So, you know, because I don't

8 remember writing this it might not have been me.

9 Q But you said it was possibly you,

10 right?

11 A It could possibly have been me. I

12 don't know.

13 Q Do you know about the group Defeat

14 RLUIPA?

15 A No.

16 Q You never heard of it before?

17 A No, I have not. I may -- you know,

18 have been on many blogs and many sites and many

19 logs in my life. I mean this isn't even dated.

20 I don't know what it's from.

21 MR. STEPANOVICH: (Handing document to

22 be marked.)

23 (Whereupon, Emails, Bates No.

24 POM17112, was marked Plaintiff's Exhibit 281

25 for identification.)

1 - Rita Louie - 161

2 Q I'm handing you what's been marked as

3 281, Mrs. Louie. See if that refreshes your

4 memory about the Defeat RLUIPA group.

5 A (Perusing document.) "Please consider

6 joining our Google group."

7 Q So does that refresh your memory now

FinalRitaLouie.txt

8 that that was a group started I think by Mr. Bob
9 ProI, does that refresh your memory now?

10 A I see it, I'm reading the email here.
11 But I don't specifically remember anything about
12 this.

13 Q At the top of the email it indicates
14 that it's an email from Mr. Sanderson saying that
15 he joined the group, right?

16 A Yes.

17 Q what do you know about the movement to
18 incorporate the village of Ladentown?

19 A I know at one time there was a group
20 going around taking signatures to form the group
21 of Ladentown.

22 Q were you involved in that group?

23 A Not too much. At the time I wasn't
24 that involved actively.

25 Q Did you ever get involved in that

162

1 - Rita Louie -

2 group?

3 A I went to some hearings as an audience

4 member. I don't remember being actively involved

5 in the formation of Ladentown.

6 Q where would the village of Ladentown

7 have been formed, what's its geographic

8 location?

9 A I'm not sure what the borders were,

10 but I know it included Ladentown Road and other

11 historical areas within the village of Pomona and

FinalRitaLouie.txt
12 outside the village of Pomona.
13 Q Did you vote to have the Village of
14 Pomona sue the Town of Ramapo over Patrick Farms?
15 A Yes.
16 Q I think you testified briefly about
17 that earlier, but why did you do that?
18 A Because the Village of Pomona is a
19 municipality adjacent to the Patrick Farm, it
20 affects our village.
21 Q How does it affect your village?
22 A Environmentally, scenic.
23 Q Let's start with environmentally. How
24 environmentally?
25 A The Patrick Farm area is a wooded

163
1 - Rita Louie -
2 area, has streams, wetlands, trees, wildlife.
3 Q If all of those issues, the
4 environmental issues were taken care of or
5 mitigated as you say, would you still have a
6 problem with the Patrick Farms development?
7 MS. NAPP: Object to the form.
8 A I would have a problem, I have a
9 problem with the downzoning of the Patrick Farm.
10 Q So you have a problem with what, the
11 number, the density?
12 A The density, yes.
13 Q What was your understanding of the
14 density requirements of Patrick Farm?
15 A At the time I did speak in front of

FinalRitaLouie.txt
16 the zoning board in objection to the downzoning
17 of Patrick Farm from two acre zoning to multi
18 family.
19 Q Do you recall what the multi-family
20 density provisions were, how many per unit?
21 A I don't recall.
22 Q While you have been a member of the
23 board of trustees has the village taken any steps
24 to repeal or revise RLUIPA?
25 A No.

164
1 - Rita Louie -
2 Q Do you personally think RLUIPA should
3 be repealed?
4 A I don't know.
5 Q Do you think RLUIPA should be revised?
6 A I think it should be discussed.
7 Q What should be discussed?
8 A From my understanding of how the law
9 came about, there was never a discussion on the
10 floor of the House when they voted on it, on how
11 it would affect communities. And I think they
12 should revisit that and possibly revise the law
13 based on that.
14 Q So your understanding is when the law
15 was passed there was never any input from the
16 villages as to the consequences of the law?
17 MS. NAPP: Object to the form.
18 A My understanding there was no
19 discussion in the House or Senate on the

FinalRitaLouie.txt
20 consequences of the law, that it was just passed
21 without any discussion.
22 Q What is it that you would like if you
23 had the opportunity to discuss it as you say,
24 what is it that you would like the legislators to
25 hear from you about it?

165
1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A I don't know if I can answer that
4 question.
5 Q Well, we've kind of gone around a
6 little bit, testified that the statute is flawed,
7 it's been in your campaign literature. You've
8 indicated that a discussion needs to be had. So
9 I mean I'm sure as you sit here today you have to
10 have an idea of how you would like to correct the
11 statute.
12 MS. NAPP: Object to the form.
13 Q Right?
14 A Well, I don't believe that any federal
15 law should be big enough that it circumvents
16 local zoning. Although there are portions of
17 that law that are probably very good and very
18 well intentioned, no federal law should be
19 allowed to come into a small town or a small
20 village or a small community and circumvent their
21 local zoning. That portion of the RLUIPA law
22 should probably be discussed.
23 Q Do you know anything about the Fair

FinalRitaLouie.txt

24 Housing Act?

25 A The Fair Housing Act was passed --

166

1 - Rita Louie -

2 what was it, 1968?

3 Q what do you know about it?

4 A To make sure there was no
5 discrimination against people, race, creed.

6 Q That's a federal law, right?

7 A That's a federal law.

8 Q That federal law also affects local
9 zoning, doesn't it?

10 MS. NAPP: Objection.

11 A No, that federal law is more geared
12 towards landlords.

13 Q So is it your understanding that the
14 Federal Fair Housing Act doesn't impose any
15 obligations on local governmental officials?

16 MS. NAPP: Object to the form.

17 A Only if they are taking money from
18 the -- HUD money from the federal government.
19 Then they have to adhere to the federal housing
20 laws in their development. And they can't
21 discriminate against anyone based on race, creed
22 or religion.

23 Q So is it your understanding that the
24 Fair Housing Act doesn't apply to local
25 governments?

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167

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Absolutely not. Of course the Fair
4 Housing Act applies to local governments.

5 Q Is that only when the government is
6 acting as a landlord?

7 MS. NAPP: Object to the form.

8 A What other time would the Fair Housing
9 Act apply to a government?

10 Q Well, maybe when it's passed in the
11 legislation it affects housing?

12 MS. NAPP: Objection.

13 A Not in zoning laws.

14 Q I just want to be clear. So is it
15 your understanding that the zoning law passed by
16 Pomona is not subject to the Federal Fair Housing
17 Act?

18 MS. NAPP: Object to the form.

19 A One has nothing to do with the other.
20 That's not true.

21 Q So tell me --

22 A Which zoning law are you referring to?

23 MS. NAPP: I'm lost too. I don't mean
24 to be flip. But objection. I don't
25 understand that either.

168

1 - Rita Louie -

2 Q Do you understand that the Federal
3 Fair Housing Law prohibits a village from passing
4 a law that makes housing unavailable, you with me

FinalRitaLouie.txt

5 so far?

6 A Yeah.

7 Q If the passage of the law is based
8 upon some religious reason.

9 MS. NAPP: Objection.

10 Q Do you understand that?

11 A No, I don't understand that.

12 Q Okay, all right.

13 But we do agree, though, that the --
14 you agree that the Village of Pomona's zoning
15 laws are subject to the Federal Fair Housing Act,
16 you agree with that, right?

17 MS. NAPP: Objection.

18 A Which zoning laws?

19 Q Any zoning law that deals with
20 housing.

21 MS. NAPP: Objection.

22 A I'm not going to agree with that.

23 Q Why not?

24 A Because I don't understand the
25 question as it pertains to -- as fair housing

169

1 - Rita Louie -

2 pertains to zoning. They are two separate issues
3 in this case.

4 MS. NAPP: I'm just going to state for
5 the record, I'm trying to give you some
6 latitude but Miss Louie is not an attorney
7 and I think those are pretty technical
8 questions.

FinalRitaLouie.txt

9 MR. STEPANOVICH: I understand.

10 Q Let's come back to this. You
11 understand that the Federal Fair Housing Act is a
12 federal law, you understand that?

13 A Yes.

14 Q And you understand that RLUIPA is a
15 federal law, right?

16 A Yes.

17 Q We'll leave it at that.

18 (Recess held.)

19 MR. STEPANOVICH: (Handing document to
20 be marked.)

21 (Whereupon, Emails, Bates Nos.
22 POM16969-72, was marked Plaintiff's Exhibit
23 282 for identification.)

24 Q I'm handing you what's been marked as
25 Exhibit 282, and ask if you've ever seen that

170

1 - Rita Louie -

2 before?

3 A Yes.

4 Q This is an email from you, correct, to
5 Mr. Sanderson and Mr. Yagel, right?

6 A Yes.

7 Q What was the purpose of this email?

8 A I was passing on a flier for a
9 seminar.

10 Q What was the seminar?

11 A It was a discussion on RLUIPA.

12 Q Is this right after you got elected?

FinalRitaLouie.txt

13 A Yes.
14 Q Why did you forward this to Mr.
15 Sanderson and Mr. Yagel?
16 MS. NAPP: Object to the form.
17 A Just to see if they wanted to attend
18 this event.
19 Q And to see if they wanted to get
20 educated on RLUIPA?
21 MS. NAPP: Object to the form.
22 A No, I forwarded the flier to see if
23 they wanted to go to the event or pass it on to
24 their email list to see if anybody else was
25 interested in the event.

171

1 - Rita Louie -
2 Q You write, "PS: Brett, might want to
3 pass this onto some Pomona people on our email
4 list who might be interested in getting educated
5 on RLUIPA;" is that right?
6 A Correct.
7 Q That's why you passed it on, correct?
8 MS. NAPP: Object to the form.
9 A I passed it on to see if Brett or Nick
10 wanted to go to the event and/or pass it on to
11 their email list, like I would with any event.
12 Q Did you go to this event?
13 A I believe I was there for part of the
14 time.
15 MR. STEPANOVICH: (Handing document to
16 be marked.)

FinalRitaLouie.txt

17 (Whereupon, Document pertaining to
18 Conference August 16-18, 2007, Bates No.
19 POM11646, was marked Plaintiff's Exhibit 283
20 for identification.)

21 Q I'm handing you what's been marked as
22 Plaintiff's Exhibit 283, and ask if you've ever
23 seen that before?

24 A No, I have never seen this.

25 Q So looks like it was a land use

172

1 - Rita Louie -

2 conference on August 16th to 18th, 2007 regarding
3 RLUIPA. Did you attend that conference?

4 A No, I did not.

5 Q Have you ever seen this document?

6 A I have never seen this document.

7 Q Besides any counsel, have you ever
8 been advised to be careful of what comments you
9 make in public on RLUIPA cases?

10 MS. NAPP: Object to the form.

11 A Not that I remember.

12 Q Have you ever been told by anyone on
13 the board to be careful not to make any off the
14 cuff remark in a public hearing?

15 MS. NAPP: Object to the form.

16 A Maybe.

17 Q Maybe?

18 A Maybe.

19 Q What do you recall about that?

20 A I may have had conversation with the
Page 150

FinalRitaLouie.txt

21 mayor, Mayor Yagel, in recent years about public
22 comments being taken out of context or being
23 misconstrued.

24 Q What about when you first came on the
25 board back in '07, did you have any similar

173

1 - Rita Louie -

2 conversations with anybody on the board of
3 trustees?

4 A Possibly. I don't remember.

5 Q Basically was the intent of what you
6 were told just to be careful of what you said in
7 public?

8 MS. NAPP: Object to the form.

9 A As elected officials we always have to
10 be careful about what we say in public because it
11 could be misconstrued or taken out of context by
12 the media or other people.

13 MR. STEPANOVICH: (Handing document to
14 be marked.)

15 (Whereupon, Emails, Bates No.
16 POM17094, was marked Plaintiff's Exhibit 284
17 for identification.)

18 Q I'm handing you what's been marked as
19 Plaintiff's No. 284, and ask if you have ever
20 seen that before?

21 A It is an email addressed to me, so I
22 have probably seen it before.

23 Q It's from Brett Yagel, correct?

24 A Yes.

FinalRitaLouie.txt

25 Q Dated April 2nd, 2007, right?

174

1 - Rita Louie -

2 A Yes.

3 Q He writes, "Must be very careful about
4 what we say. Don't know who's in the audience.
5 who knows, Savad might show up again."

6 Is that what it said?

7 A Yes, that's what it says.

8 Q What did you understand that to mean?

9 A I understood that to mean to be
10 careful what you say because someone in the
11 audience might be trying to get dirt on you or
12 trying to, you know, get a quote from you that
13 they can use against you.

14 Q Specifically in this instance they
15 were referring -- Mr. Yagel was referring be
16 careful, Mr. Savad might show up again; is that
17 right?

18 A Right.

19 Q You were actually on the board at this
20 time, right, April 2nd, 2007?

21 A Yes. We were just new on the board,
22 yes.

23 Q Did you receive any kind of guideline
24 or instructions from anyone else besides Mr.
25 Yagel back in '07 to be careful what you said in

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FinalRitaLouie.txt
- Rita Louie -

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public?

MS. NAPP: Object to the form.

A Not that I remember.

Q What do you know about the New York
Sunshine laws in terms of communicating with
other board members?

MS. NAPP: Object to the form.

A That you can't have a private meeting
or a quorum of three or more board members
without notice to the public.

Q From what you know, do those laws
prevent you from emailing to other members of the
board?

A I believe -- I don't think that that
applies to the law.

Q What is it that you understand
regarding email?

A I have no knowledge of how it applies
to the emails. I haven't discussed it with
anyone.

Q So were you in fact careful what you
said at the public meetings?

MS. NAPP: Object to the form.

A I don't know.

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2
3
4

- Rita Louie -

Q Let's be more specific. Were you
careful what you said when Mr. Savad was there on
behalf of Tartikov at any public hearing?

5 FinalRitaLouie.txt
MS. NAPP: Object to the form.

6 A I was not aware of Mr. Savad being at
7 any public meeting that I was speaking at.

8 Q Have you ever been at a meeting and
9 heard Mr. Savad speak?

10 MS. NAPP: Objection. Asked and
11 answered.

12 A Possibly. But I don't know what he
13 looks like, so I don't know.

14 Q What about anyone from his office, did
15 you ever hear anyone else from his office speak
16 at a public hearing?

17 A I don't know.

18 Q Did you ever talk to Mr. Yagel and Mr.
19 Sanderson in person about being careful what you
20 say in public?

21 MS. NAPP: Object to the form.

22 A Not that I remember.

23 Q Is it possible that you spoke to those
24 two individuals in person about being careful
25 what you say in public?

177

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A Anything is possible.

4 MR. STEPANOVICH: (Handing document to
5 be marked.)
6 (Whereupon, Emails, Bates No.
7 POM33424, was marked Plaintiff's Exhibit 285
8 for identification.)

FinalRitaLouie.txt
9 Q I'm handing you what's now been marked
10 as Plaintiff's Exhibit 285, and ask if you've
11 seen that before? And specifically I'm going to
12 just ask you a question about the front page.

13 MS. NAPP: Take your time and read the
14 whole thing if you like.

15 Q Yes, read the whole thing. And I'll
16 take just a minute.

17 (Recess held.)

18 Q Are you done, Mrs. Louie?

19 A Yes, I am.

20 (Off-the-record discussion.)

21 Q This is your email at the top. You
22 sent this to Mr. Sanderson; is that right?

23 A Yes.

24 Q who's Barnaby Joyce?

25 A I'm not really sure. I think he was a

1 - Rita Louie - 178
2 builder up on the mountain in Pomona, building
3 houses.

4 Q Were you trying to sort of get
5 information about some sort of understanding of
6 whether or not the village met with individuals
7 who had yet not submitted plans, formal plans, is
8 that what this email was about?

9 MS. NAPP: Object to the form.

10 A Yes, I was asking the mayor what the
11 policy is and to clarify it for me.

12 Q Then you write at the end, "BTW, the

FinalRitaLouie.txt
13 assistant from Savad's office was at the planning
14 board meeting last night taking notes, as usual.
15 The planning board members didn't know who she
16 was. Maybe the planning board needs a little
17 advice on the ground rules from Doris regarding
18 this. Talk to you later."

19 what are the ground rules that you're
20 referring to here?

21 MS. NAPP: Object to the form.

22 A I don't know. I don't know what I was
23 referring to. I was new on the board and I
24 obviously was a little ignorant of what the
25 policies were.

1 - Rita Louie - 179

2 Q You mention an assistant from Savad's
3 office was there, as usual. What are you trying
4 to relay there?

5 MS. NAPP: Object to the form.

6 A I guess that an assistant from Savad's
7 office was there taking notes, as usual.

8 Q From your experience, and I know it
9 was limited experience, was that unusual, that
10 someone was there from an attorney's office
11 taking notes?

12 A Well, I wrote as usual, so maybe it
13 wasn't unusual.

14 Q The planning board meetings that you
15 were at, was there always an assistant from Mr.
16 Savad's office there?

17 FinalRitaLouie.txt
MS. NAPP: Object to the form.
18 A I don't remember.
19 Q Did you get advice on the ground rules
20 regarding your request here at the end of this
21 paragraph?
22 MS. NAPP: Object to the form.
23 A I don't think so. I don't remember
24 getting any response to this.
25 MR. STEPANOVICH: (Handing document to

180
1 - Rita Louie -
2 be marked.)
3 (Whereupon, Printout of article, "In a
4 Town Divided, a Wispy Boundary Between Land
5 Use and Religion," Bates Nos. RC1618-19, was
6 marked Plaintiff's Exhibit 286 for
7 identification.)
8 Q I'm handing you what's been marked as
9 Plaintiff's Exhibit 286, and ask if you've ever
10 seen that before?
11 A (Perusing document.) I don't remember
12 seeing this exact document before.
13 (Recess held.)
14 Q Of course you've had time to review
15 this. You probably know it verbatim now.
16 Exhibit 286, you've seen it today, right?
17 A I've seen it just now when you gave it
18 to me, yes.
19 Q You've never seen this article before?
20 A I have not read this article, no.

FinalRitaLouie.txt

21 Q Did you know anything about this

22 article prior to today?

23 A No, I did not.

24 Q You never heard that an article like

25 this was published in the New York Times?

181

1 - Rita Louie -

2 MS. NAPP: Object to the form.

3 A No.

4 Q There's a statement that says, "Nearby
5 residents look at Patrick Farm and envision a
6 clone of New Square."
7 Have you ever heard a statement like
8 that?

9 MS. NAPP: Object to the form.

10 A No.

11 Q You never heard anyone say that
12 Patrick Farms would be a clone of New Square?

13 A No, I've never heard anyone say that.

14 Q Did you ever hear anyone say that,
15 "You say Patrick Farm and I want to throw up, I
16 literally get nauseous."

17 A I've never heard that, no.

18 Q Have you ever heard anyone say, "You
19 wonder, how can someone drop their own little
20 planet on us," have you ever heard that?

21 A I've never heard that, no.

22 Q That's all I have on that.

23 MR. STEPANOVICH: (Handing document to
24 be marked.)

25 FinalRitaLouie.txt
(Whereupon, Article entitled, "Culture

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1 - Rita Louie -
2 Clash," Bates No. RC1810, was marked
3 Plaintiff's Exhibit 287 for identification.)
4 Q I'm handing you now what's been marked
5 as 287, Mrs. Louie, and ask if you can review
6 that and -- just review it, please?
7 A Okay. (Perusing document.)
8 Q Have you ever seen this article
9 before, "Culture Clash"?
10 A No, I have never.
11 Q Have you ever heard anyone indicate
12 that the -- anyone discuss the population growth
13 rate of Orthodox, Hasidic Jews?
14 MS. NAPP: Object to the form.
15 A Repeat that question.
16 Q Strike that.
17 Did you ever hear Mr. Rhodes speak
18 about the population growth rate of the Orthodox,
19 Hasidic Jews?
20 A Not specifically.
21 Q Have you ever heard him generally
22 speak about that?
23 A Not that I remember.
24 Q Have you ever heard Mr. Rhodes call
25 for an examination of the population growth rate

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1 - Rita Louie -
Page 159

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2 in Ramapo's Hasidic communities, have you ever
3 heard that?

4 MS. NAPP: Objection.

5 A No, I never heard him say anything
6 like that.

7 Q Have you ever heard Mr. Rhodes
8 indicate that the Hasidic communities' growth
9 rate is unusually high, did you ever hear him say
10 anything like that?

11 MS. NAPP: Object to the form.

12 A No.

13 Q How about anything -- you look like
14 you are struggling with that answer.

15 A The question is -- you're asking about
16 specific sentences Mr. Rhodes might have said.
17 And I don't remember him saying things like that.

18 Q Did you ever read anything authored by
19 Mr. Rhodes relative to the Orthodox, Hasidic
20 growth rate?

21 A It's possible. I read a lot of
22 articles about a lot of different things.

23 Q Do you have a general understanding
24 that Orthodox, Hasidic Jews have large families?

25 MS. NAPP: Object to the form.

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1 - Rita Louie -

2 A Yes.

3 MR. STEPANOVICH: (Handing document to
4 be marked.)

5 (Whereupon, Emails, Bates No.
Page 160

FinalRitaLouie.txt

6 POM33312, was marked Plaintiff's Exhibit 288
7 for identification.)

8 Q I'm handing you what's been marked as
9 288, Mrs. Louie.

10 A (Perusing document.)

11 Q At the bottom there it looks like it's
12 an email from you to Brett Yagel. You see where
13 I'm referring to, "I spoke to my friend Susan."
14 It looks like it's an email from you to Nick
15 Sanderson and Brett Yagel on July 26th. You see
16 that?

17 A Uh-huh, yes.

18 Q You write there in the middle that
19 your friend "believes many firms will want to
20 take this case pro bono due to its high
21 visibility and potential for publicity, as this
22 may become one of the most significant cases of
23 reverse discrimination in history." You see
24 that?

25 A Yes, I see that.

185

1 - Rita Louie -

2 Q What did you mean by that, reverse
3 discrimination?

4 A I don't know. I think it's what this
5 woman must have said to me, that she believed it
6 would be a case of reverse discrimination.
7 That's what she believed.

8 Q This woman who you spoke with at a law
9 firm you mean?

FinalRitaLouie.txt

10 MS. NAPP: Object to the form.
11 A I don't know if she's from a law firm.
12 Q Do you recall anything about the facts
13 surrounding that statement that this would be a
14 most significant case of reverse discrimination
15 in history, you recall anything about that?
16 A I don't even remember who this Susan
17 person is.
18 Q That's all I have.
19 MR. STEPANOVICH: (Handing document to
20 be marked.)
21 (Whereupon, Posting, 1/21/10, Bates
22 No. POM33886, was marked Plaintiff's Exhibit
23 289 for identification.)
24 Q I'm handing you what's been marked as
25 289. Now that looks like it's something called

186

1 - Rita Louie -
2 an FB post. Would that be a Facebook post?
3 A Yes.
4 Q Rita Jablonski, is that you?
5 A Yes.
6 Q You write, "Join the group Save
7 Patrick Farm. It's directly related to saving
8 our schools."
9 A Yes.
10 Q You wrote that?
11 A Yes.
12 Q How is saving Patrick Farms directly
13 related to saving our schools?

FinalRitaLouie.txt

14 A I believe that a large development of
15 that nature would have overtaxed our public
16 school system.

17 Q What do you mean overtaxed?

18 A Well, the buildings were already full
19 to capacity and it would have hurt our school
20 district. Any large development would hurt the
21 school district in any town.

22 Q Was East Ramapo School District
23 closing schools around this time in January of
24 2010?

25 A They had closed -- I don't know if

187

1 - Rita Louie -

2 they had closed any schools at that point, no.

3 Q You don't remember or you don't know
4 whether or not they were closing schools?

5 A I don't believe they were closing
6 schools in 2010.

7 Q That's all I have on that.

8 MR. STEPANOVICH: (Handing document to
9 be marked.)

10 (Whereupon, Posting, 1/22/10, Bates
11 No. POM33884, was marked Plaintiff's Exhibit
12 290 for identification.)

13 Q I'm handing you what has been marked
14 as Plaintiff's 290. And is that again another
15 post from you?

16 A Yes, it looks like it is.

17 Q You indicate "Save Patrick Farm."
 Page 163

FinalRitaLouie.txt

18 what do you mean by Save Patrick Farm?

19 MS. NAPP: Object to the form.

20 A Save Patrick Farm from

21 overdevelopment.

22 Q You indicated earlier that you knew

23 that the developer of Patrick Farm was an

24 Orthodox, Hasidic Jew, right?

25 A I don't know if I knew that in January

188

1 - Rita Louie -

2 of 2010.

3 Q When did you become aware that the

4 developer of Patrick Farms was an Orthodox,

5 Hasidic Jew?

6 A When I saw the developer at a planning

7 board presentation meeting.

8 Q You remember when that was?

9 A I don't remember when that was, no. I

10 don't know the timeline on this.

11 MR. STEPANOVICH: (Handing document to

12 be marked.)

13 (Whereupon, Posting, 1/26/10, Bates

14 No. 33880, was marked Plaintiff's Exhibit

15 291 for identification.)

16 Q I'm handing you now what's been marked

17 as Plaintiff's 291. And ask you if this was

18 another post written by you?

19 A Yes.

20 Q You reference "poor developers." what

21 did you mean by that?

FinalRitaLouie.txt

22 A I was being sarcastic.
23 Q In what sense?
24 A You know, whoever owned the property
25 could have already built a housing development if

189

1 - Rita Louie -
2 they just stuck with the original zoning.
3 Q Which was the one acre zoning?
4 MS. NAPP: Object to the form.
5 A Yes.
6 Q So it was your opinion then what, the
7 developers were getting greedy?
8 MS. NAPP: Object to the form.
9 A It was my opinion, as I wrote, that
10 the developers were dopes.
11 Q For not sticking with the original
12 zoning?
13 A For not sticking with the original
14 zoning, yes.
15 MR. STEPANOVICH: (Handing document to
16 be marked.)
17 (Whereupon, Posting, 12/27/11, Bates
18 No. 33865, was marked Plaintiff's Exhibit
19 292 for identification.)
20 Q I'm handing you now what's been marked
21 as Plaintiff's Exhibit 292, and ask again if this
22 was a post by you, a Facebook post?
23 A Okay.
24 Q I'm sorry, was this a -- I asked if
25 this was a Facebook post by you, but you probably

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1 - Rita Louie -

2 didn't hear me.

3 A Oh, I didn't hear you.

4 Yes, it is.

5 Q Who is Steven White?

6 A Steve White is a community activist
7 and leader in the East Ramapo School District.

8 Q Does he live in Pomona?

9 A No.

10 Q What was it that you were asking him
11 to do?

12 A I was asking him to mobilize people
13 from the East Ramapo School District to come to a
14 Ramapo Town Board meeting.

15 Q To oppose the Patrick Farm
16 development?

17 A Yes.

18 Q At this time in December of 2011 did
19 you have any idea who would occupy the homes and
20 residences in Patrick Farms?

21 A I don't know. I don't know if this
22 was the meeting that I went to at that point to
23 see the presentation the first time or if it was
24 after that or if it was before that.

25 MR. STEPANOVICH: Andrea, if we take

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1 - Rita Louie -

FinalRitaLouie.txt
6 295 for identification.)
7 Q I'm handing you what's been marked as
8 295, Mrs. Louie. Now, of the laws that
9 plaintiffs are challenging in this lawsuit, you
10 voted on one law only and that was the wetlands
11 law, correct?

12 A Correct.

13 Q That was on April 23rd, 2007?

14 A Correct.

15 Q You believe that the law was a
16 thorough law; is that right?

17 A Yes.

18 Q You also believe that the law complied
19 with everything that the village was looking for
20 to protect its wetlands, right?

21 MS. NAPP: Object to the form.

22 A Yes.

23 Q In fact, you thought the wetlands law
24 was a great law?

25 A Yes, I did.

1 - Rita Louie - 193

2 Q Can you tell me why you thought it was
3 a thorough law?

4 MS. NAPP: Object to the form.

5 A As a new member of the town board when
6 this came up, I was actually thrilled that we had
7 a wetlands law in front of us. Because when I
8 was on the planning board the year before we had
9 a situation where we were reviewing an

FinalRitaLouie.txt
10 application of a flag lot and the back lot had
11 wetlands in front of it and the applicant had
12 to -- the application that was before us
13 presented us with a problem as a planning board
14 because you had to pass through wetlands to get
15 to the flag lot which was legal. And we had no
16 vehicle as a planning board to deal with the
17 wetlands situation because there was no town
18 board law at the time designating wetlands.

19 So when I became a town board member
20 and we had a wetlands law being formulated, I was
21 ecstatic about it, because I knew that that would
22 help the planning board when making decisions
23 such as the one I was faced with just the year
24 before in planning board decisions.

25 Q So then is it your understanding that

1 - Rita Louie - 194
2 the wetlands law which was passed would have been
3 applicable to the situation that you just
4 described?

5 A Yes, it would have, because it would
6 have given us a delineation of how far the house
7 had to be from the wetlands and whether we could
8 in fact approve the site plan with the two houses
9 on it with a wetland in between. And we would
10 have had a reason to actually deny the plan or
11 approve the plan based on real policy that the
12 village had. But there was no policy at the
13 time.

FinalRitaLouie.txt

14 Q The Corps of Engineers wetlands
15 regulations didn't take that into consideration?
16 MS. NAPP: Object to the form.
17 A The Army Corps of Engineers came out
18 and used a very broad criteria to approve a small
19 bridge to build over the wetland area where a car
20 could drive and get to the back lot that was
21 going to be built on. And to this day there is
22 still not a house built on that lot because it
23 was -- the approval was just not buildable the
24 way it was approved.
25 Q I'm trying to follow you there. So

195

1 - Rita Louie -

2 the approval by the Corps was done in such a way

3 that it didn't facilitate the building of the

4 project?

5 A Correct. The approval by the Corps

6 was in line with the Army Corps requirements and

7 perfectly satisfied their requirements in terms

8 of protecting wetlands. But the approval by the

9 planning board approving a flag lot with having a

10 bridge to get over it to get to that house turned

11 out to not be buildable for the developer, it

12 wasn't feasible for them.

13 Q So this law then in your opinion it --

14 what areas of wetlands did it improve for the

15 village?

16 MS. NAPP: Object to the form.

17 A It didn't necessarily improve any

FinalRitaLouie.txt

18 areas of wetlands. What it did was give the
19 village and the planning board guidelines to go
20 by when there was wetlands presented during an
21 approval process. Which they did not have before
22 that.

23 Q Does the wetlands law apply to every
24 piece of property in the village?

25 A I believe it does. I'd have to review

196

1 - Rita Louie -

2 it again just to make sure if there were any
3 exceptions, I'm not sure.

4 Q This wetlands law that was passed that
5 you voted on, did it exempt any properties?

6 A I'm not a hundred percent sure, but I
7 think existing houses that are already built
8 would have some exemptions because they would be
9 grandfathered in.

10 Q You indicated that it "complies with
11 everything that we're looking for to protect our
12 wetlands." What do you mean by that?

13 MS. NAPP: Object to the form.

14 Q Page 1350, Mrs. Louie, at the bottom.

15 A I think at the time we had extensive
16 discussions about the law. We were getting ready
17 to vote on it. And I just expressed my opinion
18 that I thought the law was well thought out, was
19 well discussed and was a good law.

20 Q So in your opinion did this law
21 provide guidance where the federal law lacked?

22 FinalRitaLouie.txt
MS. NAPP: Object to the form.

23 A I believed it at the time, yes.

24 Q You still believe that?

25 A I still believe that, yes.

197

1 - Rita Louie -

2 Q So you believe then that the wetlands
3 law was a benefit to residents of the Village of
4 Pomona?

5 A Absolutely.

6 Q Why is that?

7 A Wetlands are obviously a very
8 important part of any community, because we do
9 have an aquifer, we have many residents who have
10 wells, who have well water, who need that water.
11 And if we have anybody coming in and building
12 over wetlands or filling in wetlands, that would
13 be a detriment to some of our residents.

14 Q So in your opinion the local law, the
15 village law regarding wetlands, did it, I'm
16 trying to figure it out, did it fill a gap that
17 was necessary?

18 MS. NAPP: Object to the form.

19 Q If you understand what I'm --

20 A I understand the question. It wasn't
21 necessarily filling a gap. It was creating a law
22 that we did not have. And the planning board had
23 no guidelines at all to go by when it came to
24 building on wetlands. And they needed that;
25 otherwise, they would be at a loss and it would

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1 - Rita Louie -

2 be a disadvantage to the village and to the
3 planning board.

4 Q So the way you understand the wetlands
5 law then, it was a law that was necessary to help
6 residents build?

7 A Yes.

8 Q I see, okay.

9 when those residents encountered
10 wetlands issues that was not covered by the
11 federal statutes; is that right?

12 MS. NAPP: Object to the form.

13 A Yes. It was a law to help residents
14 build responsibly when wetlands were involved,
15 yes.

16 Q Did you personally compare the law to
17 the state and federal regulations regarding
18 wetlands?

19 A I don't remember doing that, no.

20 Q Do you recall ever seeing any reports
21 from any consultants regarding your wetlands law?

22 A I believe we did at the time when we
23 were reviewing it, but I don't recall them at the
24 moment.

25 Q So it's your understanding as you sit

199

1 - Rita Louie -

2 here today that there was a consultant, a
Page 173

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3 professional consultant that reviewed the
4 wetlands law?

5 MS. NAPP: Object to the form.

6 Q If you remember.

7 A I think we had -- well, we had a
8 planner. I don't know if we had a professional
9 wetlands consultant at that time, I don't
10 remember.

11 Q Who was the planner that you believe
12 reviewed the law?

13 A I don't know.

14 Q You recognize -- I think I've asked
15 you this, but I want to make sure. You recognize
16 that the village is obligated to comply with the
17 federal wetlands law, right?

18 A Absolutely, yes.

19 Q In your opinion this law was necessary
20 because the type of assistance that you were
21 talking about was not provided in the federal
22 wetlands law?

23 MS. NAPP: Object to the form.

24 A No, that's not what I said.

25 Q Okay, I want to make sure.

200

1 - Rita Louie -

2 A What I said, there was no vehicle in
3 the village code to give the planning board
4 guidance when reviewing projects that involved
5 wetlands.

6 Q Well, isn't the village supposed to
Page 174

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7 consider the federal wetlands law?

8 MS. NAPP: Object to the form.

9 Q In reviewing projects.

10 A Yes, but as a planning board member
11 the federal laws were way too broad to be used in
12 local planning board decisions. It just wasn't
13 enough to help the planning board make a
14 responsible decision regarding responsible
15 development.

16 Q And that's what I'm trying to
17 understand. And I know I'm probably confusing
18 you.

19 On one hand you said the laws were too
20 broad but then I thought you said the laws were
21 not enough to give the planning board guidance.
22 So that's what I'm confused --

23 A They weren't specific enough or they
24 weren't clear enough to give the planning board
25 guidance, which on the other side really means

201

1 - Rita Louie -

2 they were too broad. When I sat on the planning
3 board and we were discussing projects that had
4 wetlands involved, many of the planning board
5 members were very much not sure what to do in
6 terms of responding to the developer and the Army
7 Corps, the owners and the village. So this law
8 really laid it out and clarified it very, very
9 well.

10 Q Since the passage of this law have you
Page 175

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11 had any issues where you weren't able to resolve
12 them with the application of this law?

13 MS. NAPP: Object to the form.

14 A I'm not -- you know, I haven't sat on
15 the planning board since this passed, so I don't
16 know if anything has come before the planning
17 board at this time.

18 Q So you don't know whether or not this
19 law has in fact had the intended effect that the
20 village had hoped?

21 MS. NAPP: Object to the form.

22 A I don't know.

23 Q That's all I have on that.

24 MR. STEPANOVICH: (Handing document to
25 be marked.)

202

1 - Rita Louie -

2 (Whereupon, Email dated 8/3/07, Bates
3 No. POM16948, was marked Plaintiff's Exhibit
4 296 for identification.)

5 Q I'm handing you now, Mrs. Louie,
6 Exhibit No. 196. See if you've ever seen this
7 before.

8 A (Perusing document.) I've never seen
9 this before.

10 Q Of course that was your email, one of
11 your emails, rita.louie@pomonavillage.com, right?

12 A Yes.

13 Q And you say you've never seen this
14 email before?

FinalRitaLouie.txt

15 A I don't remember seeing this email,
16 no.

17 MR. STEPANOVICH: (Handing document to
18 be marked.)

19 (Whereupon, Affidavit In Opposition To
20 Defendants' Motion To Dismiss, Bates Nos.
21 RC163-165, was marked Plaintiff's Exhibit
22 297 for identification.)

23 Q I'm handing you now -- well, let me
24 ask you a question, first of all.

25 Mrs. Louie, do you recall attending a

203

1 - Rita Louie -

2 Pomona Civic Association meeting on April the
3 4th, 2007? I know that's a while back.

4 A I've only attended one civic
5 association meeting I believe, maybe two, in my
6 whole life. So that could have been one of them,
7 yes.

8 Q When you were there do you recall
9 seeing a man with a video camera?

10 A No.

11 Q Do you recall ever making the
12 statement at a Village of Pomona Civic
13 Association meeting that, "Do you see the man
14 with the video camera? You better believe that
15 they will use anything you say against us, so
16 tell everyone to be careful."

17 You ever recall making a statement
18 like that?

FinalRitaLouie.txt

19 A I don't remember saying those words.

20 Q Do you ever recall saying anything

21 like that?

22 MS. NAPP: Object to the form.

23 A Can I see this?

24 Q Yes, you can. And I'm specifically
25 referring to paragraph eleven, but you can look

204

1 - Rita Louie -

2 at the whole thing.

3 A (Perusing document.) I wasn't
4 referring to anyone with a video camera at that
5 meeting.

6 Q would that have been at a village
7 board meeting?

8 A It might have been at a village board
9 meeting or at a town board meeting. There's
10 people with video cameras at many municipal
11 meetings that I go to.

12 Q Now, after reading all this, does that
13 refresh your recollection that you made that
14 comment that's referred there in paragraph
15 eleven?

16 A Yes.

17 Q At a village board meeting.

18 A Yes, I may have made that comment.

19 Q Did you ever speak on a Rockland
20 County radio station regarding accreditation of
21 schools?

22 A Possibly.

FinalRitaLouie.txt

23 Q would that have been recently?
24 A Possibly. I've spoken, I speak on the
25 radio all the time.

205

1 - Rita Louie -

2 Q Do you recall speaking about
3 accreditation of schools in the village of
4 Pomona?

5 A Maybe. I'm not sure.

6 Q What would you -- I'm just trying to
7 get an understanding of what you know about
8 accreditation regarding schools.

9 A Most schools are accredited by the
10 state based on their curriculum, teaching staff,
11 budgets, et cetera, as being real schools.

12 Q So is it your opinion then a school
13 that's not accredited is not a real school?

14 MS. NAPP: Object to the form.

15 Q If you understand, you can answer.

16 A That's my personal opinion, yeah. I
17 think if a school is not accredited, it's not a
18 real school.

19 Q Does a school have to be accredited by
20 the state to be a real school?

21 MS. NAPP: Object to the form.

22 A I would think the school has to be
23 accredited by the board of education, the state
24 board of education to be considered a real
25 school. Otherwise, anybody could open up a

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206

1 - Rita Louie -

2 school and say I want to teach people to rip
3 paper in half and call it a school. It's not a
4 school.

5 Q It's not a school in your definition
6 of school?

7 A Under my opinion, yes. It's my
8 opinion.

9 Q Does Mr. Nick Sanderson and his wife
10 live on Secor Court?

11 A Yes.

12 Q Are they your neighbors?

13 A Yes.

14 Q How long have they been your
15 neighbors?

16 A They lived there before I did, so
17 twenty years.

18 Q Prior to you becoming a member of the
19 board did you ever speak to Mr. Sanderson and
20 express your opinions to him about village
21 issues?

22 MS. NAPP: Object to the form.

23 A Prior to me becoming a board member?

24 Q Yes.

25 A He was the mayor at the time, so

207

1 - Rita Louie -

2 possibly.

FinalRitaLouie.txt

3 Q well, prior to him being the mayor and
4 when he sat as a village board of trustee member
5 did you ever speak to him about your opinions on
6 issues within the village?

7 A I don't believe so. We weren't that
8 friendly.

9 Q At a certain point you became
10 friendlier?

11 A Only would see him once or twice a
12 year at village block parties.

13 Q How close does he live to you?

14 A A quarter of a mile down the street.

15 Q You wouldn't discuss village business
16 with him when you saw him in the neighborhood?

17 MS. NAPP: Object to the form.

18 A No, not necessarily.

19 Q What do you mean not necessarily? I
20 don't want to try to force you into an answer.
21 You either did or you didn't or you don't
22 remember.

23 A Not -- no, not specifically. We would
24 talk about our dogs when I saw him in the
25 neighborhood.

208

1 - Rita Louie -

2 Q Who asked you to run for the board?

3 MS. NAPP: Object to the form.

4 Q Did anybody ask you to run?

5 A The village board?

6 Q Yes.

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7 A It was discussed, Brett Yagel and
8 myself and Nick Sanderson discussed running for
9 the board together.
10 Q When did those discussions take place?
11 A Those discussions, I remember exactly
12 when those discussions took place. It was
13 Christmas Eve at Brett Yagel's house in 2006.
14 Q That was when you began your
15 discussions with Mr. Yagel and Mr. Sanderson
16 about running for the village board?
17 A Yes.
18 Q Then you made your decision shortly
19 thereafter?
20 A Sometime in January 2007, yes.
21 Q I think you answered this. That was
22 the first time you ran for public office, back in
23 '07?
24 A Yes, it was.
25 Q Have you ever asked anyone to speak

209
1 - Rita Louie -
2 for you in public?
3 MS. NAPP: Object to the form.
4 A No.
5 Q Have you ever asked anyone to say
6 something in public that you felt you couldn't
7 say because of your position?
8 A No.
9 Q Have you ever asked anyone to write
10 something for you under their name because of

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11 your position?
12 MS. NAPP: Object to the form.
13 A No.
14 Q You understand my question?
15 A I understand your question.
16 No, I'm very able to speak for myself.
17 Q And sign your own name?
18 A And sign my own name, yes.
19 MR. STEPANOVICH: (Handing document to
20 be marked.)
21 (Whereupon, Email dated 2/25/07, Bates
22 No. POM19626, was marked Plaintiff's Exhibit
23 298 for identification.)
24 Q I'm handing you now, Mrs. Louie,
25 what's been marked as Plaintiff's Exhibit 298.

210
1 - Rita Louie -
2 Ask if you recall seeing that email before today?
3 A (Perusing document.) No, I don't
4 recall this at all.
5 Q Now, that looks like it's another
6 email address. You testified to some email
7 addresses earlier. But that was
8 rita@villagecommunityparty.com. Was that another
9 email you had?
10 A That would have jumped directly to my
11 rjlouie@optonline account. I never really
12 corresponded through villagecommunityparty.com.
13 Q The email reads, "Nick, Rita. I just
14 got off the phone with Bob Rhodes. He'll have

FinalRitaLouie.txt
15 the link killed to the RLUIPA letter that PR had
16 drafted. Incidentally, he had not reviewed this
17 prior to being posted on the site."
18 Did I read that accurately?
19 A Yes.
20 Q You understand who he was referring to
21 by PR, right?
22 A Yes, Preserve Ramapo I would imagine.
23 Q Did you ever see the link on the PR
24 website, Preserve Ramapo website to an RLUIPA
25 letter?

211

1 - Rita Louie -
2 A No.
3 Q Do you have any idea what he's
4 referring to here as the RLUIPA letter?
5 A I have no idea what this is referring
6 to.
7 Q This was during the time of your
8 campaign, right?
9 A Yes.
10 Q He writes, "I've saved the PDF file
11 prior to it being deleted so that we can forward
12 it to Marcie and ask for her revisions and
13 input," right?
14 A Correct, that's what it says.
15 Q Were you involved in forwarding any
16 letters to Miss Hamilton for input or revisions?
17 A No, I was not. Brett Yagel and Nick
18 Sanderson corresponded directly with Marci

FinalRitaLouie.txt

19 Hamilton.

20 Q Did you ever speak -- again, I don't
21 want to know the substance of the communications.
22 But did you ever speak personally with Marci
23 Hamilton when you were running for reelection?

24 A No.

25 MS. NAPP: Object to the form.

212

1 - Rita Louie -

2 Q You never talked to her on the phone?

3 A No.

4 Q You never spoke to her in person?

5 MS. NAPP: Object to the form.

6 Q Face to face.

7 A Only once with Brett and Nick.

8 Q When would that have been?

9 A I don't remember exactly.

10 Q Was it during your campaign?

11 A Yes, it was early in the campaign.

12 Q Where was that?

13 A In Marci Hamilton's office at the
14 university.

15 Q I think you said that was early in
16 your campaign?

17 A Yes.

18 Q January of '07 maybe?

19 A Maybe January. January -- well, yeah.

20 MR. STEPANOVICH: (Handing document to
21 be marked.)

22 (Whereupon, Emails, Bates No.

23 FinalRitaLouie.txt
POM19626, was marked Plaintiff's Exhibit 299
24 for identification.)
25 Q I'm handing you now, Mrs. Louie,

213

1 - Rita Louie -
2 what's been marked as Plaintiff's Exhibit 299,
3 and ask if you've ever seen this before?
4 A (Perusing document.) Yes.
5 Q Who is D.M. Wind?
6 A David Wind.
7 Q Who is he?
8 A He was -- he just helped me do my
9 website. It's a friend of mine who helped me
10 with my website.
11 Q So under your name there at the very
12 beginning it says Rita Louie is the deputy mayor
13 of the Village of Pomona. So you recall seeing
14 those three paragraphs there?
15 A Yes. I wrote them.
16 Q Oh, you wrote them.
17 Then what did you mean when you say,
18 "We need to be proactive and aggressively pursue
19 the preservation of our history, our culture and
20 our open space." What did you mean by that.
21 A At the time I was getting ready to run
22 for office in the Town of Haverstraw. And I was
23 very concerned about the history and the
24 historical buildings in downtown Village of
25 Haverstraw and the preservation of them.

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214

1 - Rita Louie -

2 Q Of the buildings?

3 A Yes.

4 Q So what did you mean by "the
5 preservation of our culture," what are you
6 referring to there?

7 MS. NAPP: John, where are you reading
8 from?

9 MR. STEPANOVICH: The second
10 paragraph.

11 MS. NAPP: Thank you.

12 Q What are you referring to when you say
13 that "we need to be proactive and aggressively
14 pursue the preservation of our" you just
15 described history. And then the next term is
16 "our culture." What culture do you believe needs
17 to be preserved?

18 A The historical culture of the Town of
19 Haverstraw is very deep in terms of from the
20 river the brick-making community all the way up
21 to the mountains in Pomona and through the
22 Ladentown area. The history and the culture and
23 development of that area was very significant in
24 New York State. As well as, you know, not just
25 in Rockland County. That's what I meant by our

215

1 - Rita Louie -

2 culture.

3 Q So again it sounds to me as if you
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4 were referring to some sort of building or
5 environment, what is it that --

6 A Yes, the overall culture of the Town
7 of Haverstraw, including the Village of
8 Haverstraw, the history of it, the Hispanic
9 community, the areas in Garnerville that are rich
10 in history, the areas in Pomona and in the
11 Haverstraw section of Pomona that are rich in
12 history and Revolutionary War history. And how
13 that all relates to each other and joins
14 together. And as I campaigned for town
15 supervisor I made many speeches related to this.

16 Q You were working to -- part of your
17 platform then was to preserve the existence of
18 this culture as you describe it?

19 A The existence of the culture of the
20 Town of Haverstraw historically and currently,
21 yes.

22 Q So that the culture could stay the
23 same?

24 A So that the culture could be preserved
25 and not lost.

216

1 - Rita Louie -

2 Q You say, "I've worked successfully on
3 such matters on behalf of the residents of
4 Pomona."

5 In what capacity have you worked
6 successfully on such matters on behalf of the
7 residents of Pomona?

FinalRitaLouie.txt

8 MS. NAPP: Object to the form.

9 A I have been working on creating a
10 historical district in the Village of Pomona and
11 I have been very vocal in talking to residents at
12 our music festival and at other events about the
13 history of Pomona and about making people aware
14 of our history, and the history of the entire
15 area.

16 Q And also besides the history, are you
17 working to make people aware of the culture of
18 the village of Pomona?

19 MS. NAPP: Object to the form.

20 A In terms of -- I don't think it's -- I
21 don't think that's what that means.

22 Q Is this more campaign rhetoric?

23 A This is campaign related, yes. And
24 it's very broad.

25 Q This went on your website?

217

1 - Rita Louie -

2 A Yes.

3 Q You indicate there's a need to
4 celebrate and seek more representation from
5 Hispanics. And in fact I think that's on Page 3,
6 if you turn to Page 3. The third paragraph on
7 Page 3 under "Cultural diversity and history,"
8 five lines down. "We should be twinned with
9 cities in Ireland, Italy and the Dominican
10 Republic."

11 A Yes.

FinalRitaLouie.txt

12 Q why did you believe it was important
13 to do that?

14 A When I was campaigning in Haverstraw
15 the Dominican community was very strong, very
16 politically savvy, very concerned about their
17 representatives; yet many of the people in the
18 Dominican community felt they didn't have
19 adequate representation in their town hall.

20 Q Was that the same for the Italians and
21 the Irish, that they were politically savvy there
22 in Haverstraw?

23 A The Italians and the Irish and all the
24 people in Haverstraw are very active in their
25 political community. But it was just a

218

1 - Rita Louie -

2 suggestion in my campaign that we twin with some
3 of the cities in some of those countries where
4 our immigrant families come from.

5 Q Are there any Jewish families in
6 Haverstraw that you're aware of?

7 A In the Village of Haverstraw there are
8 probably some Jewish families, but none that I
9 had any large response from during the campaign.

10 Q So is the reason you mentioned
11 Ireland, Italy and the Dominican Republic is
12 because you had a response from those groups of
13 people?

14 MS. NAPP: Object to the form.

15 A More or less, yes.
Page 190

FinalRitaLouie.txt

16 Q what kind of response would you have
17 gotten from individuals of these backgrounds
18 within your campaign?

19 MS. NAPP: Object to the form.

20 A I had relationships with many people
21 in many parts of the town that had different
22 ancestral backgrounds.

23 Q You didn't have any relationships with
24 any Jewish people with a Jewish background?

25 MS. NAPP: Object to the form.

219

1 - Rita Louie -

2 A In Haverstraw?

3 Q Wherever you were reaching out to.

4 A I don't know. Not that I know of.

5 MR. STEPANOVICH: (Handing document to
6 be marked.)

7 (Whereupon, Emails, Bates No.
8 POM16957, was marked Plaintiff's Exhibit 300
9 for identification.)

10 Q I asked you if you knew Bob Pro1.

11 A Correct.

12 Q It sounded as if you didn't know Bob
13 Pro1.

14 A Correct.

15 Q So did you ever meet Bob Pro1
16 personally?

17 A I think I may have met Bob Pro1 a
18 couple of times.

19 Q But did you have a relationship, a
Page 191

FinalRitaLouie.txt

20 friendship with Bob Pro1?
21 MS. NAPP: Object to the form.
22 A No. I remember seeing him at some
23 meetings. I know he used to be vocal and speak
24 out, but I didn't know him personally.
25 Q Do you recall ever emailing with Bob

220

1 - Rita Louie -
2 Pro1?
3 A Probably.
4 Q I'm handing you now what's been marked
5 as Exhibit 300. It looks like that's an email
6 from you to Bob Pro1.
7 A Okay.
8 Q July 11th, 2007. In response looks
9 like to an email from him, Mr. Pro1. Just take a
10 minute and look at that.
11 A (Complying.) Okay.
12 Q Mr. Pro1 writes to you and Mr.
13 Sanderson, Mr. Banks and Mr. Yagel. He writes,
14 "In case you haven't heard this enough, I speak
15 to many of our neighbors and have yet to find
16 even one person who disagrees that the laws of
17 our village pertain to everyone the same way."
18 Did you hear that sentiment that he
19 just explained there from other residents in the
20 village?
21 MS. NAPP: Object to the form.
22 A I'm sure I did.
23 Q "Please do not allow the Babad family

FinalRitaLouie.txt

24 to intimidate you or force you to compromise in
25 this battle."

221

1 - Rita Louie -

2 Did you understand who he was
3 referring to by the name Babad B-A capital B-A-D
4 family?

5 A I was not sure, sure. I don't know
6 who the Babad family is specifically.

7 Q But generally do you have any idea
8 that the Babad family was affiliated with the
9 Rabbinical College of Tartikov?

10 A Yes.

11 Q You knew that?

12 A Yes, yes, they are affiliated.

13 Q And you knew that back in July of '07,
14 right?

15 A I don't know if I knew that back then.
16 I know it now.

17 Q Have you ever heard the name Chaim
18 Babad?

19 A Chaim Babad?

20 Q Yes.

21 A I don't know. Maybe.

22 Q Then you respond -- well, he
23 continues. "There is only one outcome acceptable
24 to the community and that is to maintain our fair
25 zoning laws and the way of life we have all

FinalRitaLouie.txt

222

1 - Rita Louie -
2 invested in," right?
3 A Yes.
4 Q I think that's what you've explained
5 what you were seeking to do as a board member,
6 right, to enforce the village's zoning laws?
7 MS. NAPP: Object to the form.
8 Q Is that right?
9 A Correct.
10 Q And you understood that that's the
11 message that Mr. Pro1 was sending you, right, he
12 wanted you to enforce the village zoning laws?
13 MS. NAPP: Object to the form.
14 A Yes, that's what he says.
15 Q He wanted you to maintain not only
16 zoning laws but the way of life that we have all
17 invested in, right?
18 MS. NAPP: Object to the form.
19 A That's what he says in his note.
20 Q You understood what he meant by that?
21 A Yes, he meant that we wanted to
22 maintain our zoning laws and the way of life we
23 have all invested in, yes.
24 Q You agree with that?
25 A Yes.

223

1 - Rita Louie -
2 Q In fact, you respond, "Thanks for your
3 kind words, Bob. It's a little unsettling what's

FinalRitaLouie.txt
4 going on, but we are sure we can maintain our
5 zoning laws in Pomona and keep our neighborhood
6 rural and diverse. Thanks for all your support.
7 Rita Louie," right?

8 A Yes.

9 Q You indicated it's a little
10 unsettling. What was unsettling?

11 A The onslaught of development that was
12 going on in the perimeter of the village, on
13 every side of the village.

14 Q But there was no development going on
15 inside the Village of Pomona, right?

16 MS. NAPP: Object to the form.

17 A No.

18 Q You understood that, right?

19 A I understood that, yes.

20 Q So enforcing the Village of Pomona
21 zoning laws had nothing to do with what was going
22 on or this onslaught that you talk about,
23 onslaught of development, outside of the
24 village's jurisdiction, right?

25 MS. NAPP: Object to the form.

224

1 - Rita Louie -

2 A That's not completely true. Of course
3 it had everything to do with it.

4 Q So the village's zoning laws would
5 have an effect on this onslaught of development
6 in jurisdictions beyond Pomona?

7 A No, that's not what I said.

FinalRitaLouie.txt

8 Q Then tell me what you said. I'm
9 sorry, I don't want to mischaracterize. What did
10 you say?

11 A To maintain our fair zoning laws. And
12 what was unsettling was that there was a lot of
13 downzoning going on in other areas. And I was
14 once again assuring, reassuring a resident of my
15 village that we were not going to be like the
16 other areas outside of the village and that we
17 would maintain our zoning laws and keep our
18 neighborhood rural. It was just another
19 reassurance for one of my village residents and
20 that's what he was looking for.

21 Q But at the time this was happening the
22 only zoning issue was the Tartikov zoning issue,
23 right?

24 MS. NAPP: Object to the form.

25 A I was referring to any zoning laws in

225

1 - Rita Louie -
2 our village. I wasn't specifically targeting one
3 set of zoning laws.

4 Q You were trying to reassure a citizen
5 that you would maintain the zoning laws in the
6 village of Pomona, right?

7 A Correct.

8 Q Even if those zoning laws violated a
9 federal law?

10 MS. NAPP: Object to the form.

11 A That had not been an issue at the

FinalRitaLouie.txt
12 time. There was no reason for me to believe any
13 of our zoning laws violated any federal laws.
14 Q But isn't it true, Mrs. Louie, that
15 your response here was a response that was
16 directed at a very particular piece of property,
17 right?
18 MS. NAPP: Object to the form.
19 A I'm not reading that from this email
20 exchange at all.
21 Q So what are you reading, are you
22 reading this email broader than what it says?
23 A I am, yes.
24 Q Did you ever talk to Mr. Proff in
25 person about this email?

226
1 - Rita Louie -
2 A I don't believe so, no.
3 Q Do you recall whether or not the
4 Tartikov lawsuit had been filed by the time you
5 got this email?
6 A I don't recall.
7 Q Do you recall when the Tartikov
8 lawsuit was filed?
9 A No, I don't.
10 Q Does July 10th, 2007 ring a bell?
11 A I don't remember. I never remember
12 dates off the top of my head.
13 Q You indicate that you wanted to keep
14 the -- "But we are sure we can maintain our
15 zoning in Pomona and keep our neighborhood rural

FinalRitaLouie.txt
16 and diverse." What did you mean about keeping
17 the neighborhood diverse?

18 A Maintaining the demographic makeup of
19 the village the way it is. Accepting all people
20 in all areas of the village.

21 Q How would you be able to maintain the
22 diversity of the village if you were going to
23 strictly enforce the village zoning laws?

24 MS. NAPP: Object to the form.

25 A It has worked historically since 1967,

1 - Rita Louie - 227
2 so there's no reason for me to believe that it
3 wouldn't be maintained, the cultural and economic
4 diversity that it has now.

5 Q You're familiar with Monsey, right?

6 A Yes.

7 Q Isn't it true that the Orthodox,
8 Hasidic Jews make up a large segment of the
9 population of Monsey?

10 A Yes, they do.

11 Q Isn't it also true that the Orthodox,
12 Hasidic community makes up now a large segment of
13 the population of Ramapo?

14 A Not all but some sections, yes.

15 Q what sections would that be?

16 A The Monsey section.

17 Q Beyond that are there any other
18 sections in Ramapo that the Orthodox, Hasidic
19 community makes up a significant portion of?

20 A New Square Village.

21 Q Do you believe that once the Orthodox,
22 Hasidic community moves in they tend to take over
23 the community?

24 MS. NAPP: Object to the form.

25 A Not necessarily.

228

1 - Rita Louie -

2 Q Do you believe that in any way? You
3 said not necessarily, so I'm trying to find out
4 whether or not you believe that in any way?

5 A No, not always. There's many
6 communities that are made up of some Orthodox,
7 some Christians, some Muslims. All over, in
8 Rockland, in Brooklyn, New York, Long Island,
9 Ohio. There's many mixed communities that have
10 Orthodox and Hasidic people living in them.

11 Q And they seem to all get along?

12 A And they seem to all get along in most
13 cases.

14 Q Are you aware of any cases where they
15 don't get along, the Orthodox, Hasidic community?

16 A No, I'm not.

17 Q That's not the case in Pomona, is it?
18 There's no Orthodox, Hasidic community in Pomona,
19 is there?

20 MS. NAPP: Object to the form.

21 A Not in the village, no.

22 MR. STEPANOVICH: (Handing document to
23 be marked.)

24 FinalRitaLouie.txt
(Whereupon, Email, 5/11/07, Bates No.
25 POM36709, was marked Plaintiff's Exhibit 301

229

1 - Rita Louie -
2 for identification.)

3 Q I'm handing you now, Mrs. Louie,
4 what's been marked as Exhibit 301, and ask if you
5 recognize that?

6 A I am not completely familiar with
7 this. I don't remember it that well.

8 Q Well, it's an email that you wrote?

9 A But it looks like an email I wrote, so
10 I must have written it.

11 Q You wrote it to Nick Sanderson and
12 Brett Yagel, right?

13 A Yes.

14 Q You indicate, "The Journal News is
15 being used as a pawn in the Tartikov public
16 relations scam and they seem to be falling for it
17 hook, line and sinker."

18 what did you mean by that?

19 A I have no idea. I don't know what
20 editorial this is talking about.

21 Q How did you know in May of 2007 that
22 Tartikov was "paying Rubenstein over \$100,000 to
23 make themselves look good"?

24 A I don't know.

25 Q Do you know who told you that?

FinalRitaLouie.txt

230

1 - Rita Louie -

2 A I don't know who told me that or where
3 I found that out.

4 Q So was it your understanding that back
5 in May of '07 the Village of Pomona was looking
6 bad and Tartikov was looking good?

7 MS. NAPP: Object to the form.

8 Q I'm just using your words.

9 A It looks like somebody wrote an
10 editorial or the Journal News wrote an editorial
11 that was slanted against the village I guess.
12 But not having the editorial in front of me, I
13 have no idea.

14 Q You write, "I agree with Marci, the
15 best thing we could do is ignore them."

16 Them, who are you referring to by
17 them?

18 A The Journal News.

19 Q "But how can we get the rest of Pomona
20 to do it?"

21 Are you asking how can you get the
22 rest of Pomona to ignore the Journal News?

23 A The Journal News -- it looked like it
24 means the Journal News editorial.

25 Q Were you bothered that the public

231

1 - Rita Louie -

2 sentiment regarding the Tartikov issue was making
3 the village look bad?

4 MS. NAPP: Object to the form.
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FinalRitaLouie.txt

5 A I don't think so -- I don't know. It
6 appears to me in this email that I was bothered
7 that the Journal News was printing a very biased
8 editorial.

9 Q Editorial is an opinion that the
10 newspaper writes, correct?

11 A Correct.

12 Q Why is it that you believed the best
13 thing you could do was to ignore them?

14 A Because there was no reason to flame
15 the flames -- what is it, fan the flames on an
16 editorial that was meaningless.

17 Q What flames do you think would be --
18 would fan?

19 A I have no idea unless -- Do you have
20 this editorial? Because I don't know what I was
21 referring to.

22 Q Is it true that you didn't want to say
23 anything in public that would be termed to be
24 discriminatory?

25 MS. NAPP: Object to the form.

232

1 - Rita Louie -

2 A No, that's not what this is about at
3 all.

4 Q You just didn't want the debate to
5 continue? I'm trying to figure out what it is
6 that you are trying to ignore here.

7 MS. NAPP: Object to the form.

8 Q Do you know what it is that you are
 Page 202

FinalRitaLouie.txt

9 trying to ignore?

10 MS. NAPP: Objection. Asked and

11 answered. You can answer again.

12 A It seems to me that the developer had
13 very deep pockets and was able to pay a very high
14 expensive public relations firm, whereas the
15 village of Pomona did not. So we could not
16 battle against that, so the best thing to do
17 would be to just ignore them and let them spend
18 all the money they want in public relations
19 scams.

20 Q It was in your opinion a scam, a
21 public relations scam?

22 A It was in my opinion a scam.

23 Q why?

24 A Because developers do it all the time,
25 it's a trick developers use. They pay a lot of

233

1 - Rita Louie -

2 money to public relations firms to make
3 themselves look like they are doing wonderful
4 things and it's not always the truth.

5 Q That's what you think Tartikov did in
6 this case?

7 A I wasn't sure. I don't know for sure,
8 but it could have.

9 Q That's what you thought back in --

10 A That's what I thought back in 2007
11 apparently when I wrote this email, yes.

12 Q So you thought the public relations
Page 203

FinalRitaLouie.txt

13 firm was lying for Tartikov?
14 MS. NAPP: Object to the form.
15 A I thought the public relations firm
16 was doing their job.
17 Q Which is?
18 A What they were being paid for.
19 Q Which was?
20 A To try and sway public opinion.
21 Q Do you know if it was working?
22 MS. NAPP: Object to the form.
23 A No, I don't.
24 Q The sentiment in your community in
25 Pomona regarding the Tartikov project, is it

234

1 - Rita Louie -
2 still about the same today as it was back in '07?
3 MS. NAPP: Object to the form.
4 A I would say the sentiment about
5 development overall is the same as it was, yes.
6 Q So it looks like Tartikov lost a lot
7 of money.
8 MS. NAPP: Objection.
9 Q I'll retract it.
10 I think I've asked you this Mrs.
11 Louie, and I apologize. The sentiment in Pomona
12 back in 2007 on the Tartikov project was
13 generally negative, right?
14 MS. NAPP: Object to the form.
15 A The sentiment was generally
16 uncertainty. Nobody really knew what was going

FinalRitaLouie.txt

17 on, because there were too many rumors floating
18 around.

19 Q Do you have any personal knowledge
20 that Mr. Savad reached out to the village board
21 to meet and explain some of the specifics about
22 the project, do you know that?

23 A I think -- I don't know -- I think
24 they may have wanted to meet with the village.
25 But I don't know what the premise was to meet

235

1 - Rita Louie -

2 with the village board.

3 Q Do you know anything about a meeting
4 that the Tartikov group had at the Comfort Inn in
5 May of 2007?

6 A No, I was not at that meeting.

7 Q Why not?

8 A I don't know why. I don't think I
9 knew about it, actually.

10 Q So this is about a month after you get
11 elected, right?

12 A Right.

13 Q And the developers of the largest
14 project in Pomona is holding a public meeting,
15 right?

16 MS. NAPP: Object to the form.

17 A Correct.

18 Q And it was the single most important
19 factor in your campaign, right?

20 MS. NAPP: Object to the form.

FinalRitaLouie.txt

21 A Correct, yes.
22 Q And you didn't go?
23 A I don't think I knew about it.
24 Q So it's your testimony that you were
25 not informed of this meeting in May of '07?

236

1 - Rita Louie -
2 MS. NAPP: Object to the form.
3 A It's my testimony that I don't believe
4 I was informed in advance of this meeting at the
5 Comfort Inn. And if I was, I don't know why I
6 wouldn't have gone.
7 Q Do you know of anybody else in the
8 village that went to the meeting?
9 A I don't remember talking to anybody
10 about this meeting.
11 Q You don't recall receiving an
12 invitation to the meeting at your home address?
13 A I don't recall receiving an invitation
14 to this meeting, no.
15 Q And you don't recall talking to anyone
16 else on the board about this meeting?
17 A I don't.
18 Q What about talking to anybody else on
19 the board after the meeting, did you talk to
20 anybody then?
21 MS. NAPP: Object to the form.
22 A I have no recollection of this Comfort
23 Inn meeting at all.
24 Q Did you read the article in the

FinalRitaLouie.txt

25 Journal News the day after the meeting about the

237

1 - Rita Louie -

2 meeting?

3 MS. NAPP: Object to the form.

4 A I don't know what meeting you're
5 referring to. I have absolutely no recollection
6 of this meeting at the Comfort Inn. I don't even
7 remember that it happened, seriously. I may have
8 been out of town. You know what, I should check
9 the dates. Maybe I was away, because I don't
10 remember it at all.

11 Q Do you recall anybody speaking at the
12 village meeting after May of 2007 and telling
13 what happened at the meeting?

14 MS. NAPP: Object to the form.

15 A It's possible, but I'd have to review
16 the meeting minutes to see.

17 Q Again, I think this will be the last.
18 It's hard for me to believe and I'm not implying
19 anything by that.

20 So it's your testimony that you have
21 absolutely no recollection about this meeting
22 held by Tartikov in May of 2007 at the Comfort
23 Inn?

24 A That is my testimony. Unless my brain
25 is on a glitch or maybe I was away that week.

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FinalRitaLouie.txt
- Rita Louie -

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But I have no idea how I missed that.

Q Had you known about it would you have gone?

A I would imagine so, yeah.

Q why?

A Because I go to all the meetings. I go to a lot of meetings.

Q You would have gone because you thought it's important as a village official to go to a meeting like that, right?

MS. NAPP: Object to the form.

A I would have gone as a concerned citizen, not just as a village official.

MR. STEPANOVICH: (Handing document to be marked.)

(Whereupon, Emails, Bates No. POM16952, was marked Plaintiff's Exhibit 302 for identification.)

Q Do you know how much Tartikov paid for the property?

A I'm not sure. I want to say -- I don't know. I don't know.

Q Back in '07 do you have any idea what that property was worth?

239

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2
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4

- Rita Louie -

A I probably did at the time, but right now I don't remember.

Q I'm handing you now, maybe this will

FinalRitaLouie.txt
9 legitimate investor dishing out four times the
10 value for a piece of property that will generate
11 no income."

12 So did you believe back on July 16th,
13 2007 that the purchase was a scam?

14 A I may have believed that. I may have
15 believed that there was something strange about
16 the price of the property. I may have believed
17 that there was something crazy going on with the
18 amount that was paid for the property. You know,
19 I asked the question, like how did this happen?
20 That was a question I was asking. I had a
21 question in my mind, why would somebody pay so
22 much for this piece of property?

23 Q well, it's 100 acres, right?

24 A Yes.

25 Q In the middle of this beautiful

1 - Rita Louie - 241
2 village, right?

3 A Yes.

4 Q winding streams.

5 A Bucolic rolling hills.

6 Q Bucolic rolling hills.

7 MS. NAPP: Objection. Question.

8 Q So there is some value to property in
9 Pomona, right?

10 A Absolutely.

11 Q You say, "I say follow the money and
12 the truth will be revealed."

FinalRitaLouie.txt
13 when you say truth that means -- what

14 do you mean by that?

15 A That means, you know, that there may
16 have been some underlying motivation for buying
17 this piece of property that was not being
18 revealed to the public at the time.

19 Q Did you have any reason back in July
20 of '07 to believe that the property was not going
21 to be used as a rabbinical college?

22 A I had no idea what the property was
23 going to be used for at that time.

24 Q We understand there weren't any
25 specific plans. I know that you've talked about

1 - Rita Louie - 242
2 that. But you did know that the general plan was
3 to use it for a rabbinical college, correct?

4 A Correct.

5 Q With housing for the students and
6 their families, right?

7 A I did not know that, no.

8 Q You did not know that?

9 A I didn't know the whole plan, no. I
10 never knew the whole plan. I still don't know
11 the whole plan.

12 Q I understand that, but what I'm asking
13 is a specific question. Did you know back in
14 July of '07 that the plan had at least a general
15 concept for housing?

16 A The plan had a general concept for a

17 FinalRitaLouie.txt
college with dormitories and that I knew, yes.
18 Q Dormitories, housing. And did you
19 understand at the time that families would live
20 in these dormitories?
21 A That's what the rumor was.
22 MR. STEPANOVICH: (Handing document to
23 be marked.)
24 (Whereupon, Emails, Bates No.
25 POM21286, was marked Plaintiff's Exhibit 303

243

1 - Rita Louie -
2 for identification.)
3 Q I'm handing you now, Mrs. Louie,
4 what's been marked as Exhibit 303. And do you
5 know who spookrock@gmail.com is?
6 A Spookrock is Mike Parietti.
7 Q Who is Mike Parietti?
8 A Mike Parietti is -- he lives in Ramapo
9 and he's an activist in the community. And I
10 believe he has run for office, but he helped me
11 on some of my campaigns also.
12 Q Who is Tina Frawley?
13 A Tina Frawley was a resident, and I
14 don't even know where she lives. I thought she
15 lived in the village, but she might not.
16 Q In the middle there it looks like an
17 email from you January 20th, 2010 writing to
18 Tina. You see where I'm at?
19 A Yes.
20 Q Towards the middle there you write,


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25      terms used.
FinalRitaLouie.txt

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245

1 - Rita Louie -

2 A That's what the applicant said.

3 Q The developer.

4 A Yes.

5 Q Then you write the next sentence, "The

6 town cannot in good conscience change the

7 comprehensive plan and zoning to accommodate the

8 development of a segregated community."

9 Did I read that accurately?

10 A Correct, yes.

11 Q what do you mean by -- who are you

12 referring to by segregated community?

13 MS. NAPP: Object to the form.

14 A I'm referring to the applicant's

15 reference to religious people who would be living

16 there and not going to the public schools, where

17 he was absolutely indicating that the community

18 would be segregated.

19 Q Meaning they would what, in your view

20 not assimilate into the surrounding community?

21 MS. NAPP: Object to the form.

22 A Meaning they would be a community of

23 religious people not going to the public schools.

24 Q Do you find that to be a -- wouldn't

25 that be a good thing for the public schools?

1 - Rita Louie - 246
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2 MS. NAPP: Object to the form.

3 A It would be a very good example of a
4 town in reference to your previous questions
5 approving zoning that was in violation of the FHA
6 laws.

7 Q What would be?

8 A Changing the zoning laws to
9 accommodate a community of religious people who
10 are not sending their children to public schools
11 as this applicant wanted to do.

12 Q I think I missed something there. Are
13 you saying to do that would be a violation of the
14 Fair Housing laws?

15 A You know, I'm trying to go back to
16 what you were asking about before. I would see
17 it that way. It could be construed that way.

18 Q Why, because the town is catering to a
19 specific religious group?

20 MS. NAPP: Object to the form.

21 A Not catering to. But spot zoning
22 to -- yeah, to create a zone of one religious
23 group, yes.

24 Q Have you ever heard of Kiryas Joel?

25 A Yes, I have.

247

1 - Rita Louie -

2 Q Isn't that what's happening in Kiryas
3 Joel?

4 A I'm not aware of what's happened in
5 Kiryas Joel over the years. I wasn't involved in

FinalRitaLouie.txt

6 the zoning changes there.

7 Q Have you ever been to Kiryas Joel?

8 A No, I have not.

9 Q Do you know who lives in Kiryas Joel?

10 A Kiryas Joel residents.

11 Q Orthodox, Hasidic Jews, is that true?

12 Do you understand that?

13 A That's what I heard.

14 Q Do you understand that the entire
15 village is made up of Orthodox, Hasidic Jews?

16 A Yes, I have heard that.

17 Q So you personally have an issue with
18 a, quote, segregated community to use your words?

19 MS. NAPP: Object to the form.

20 A Yes, I personally have an issue with
21 any segregated community, absolutely.

22 Q What is that, what is -- why?

23 A I would vehemently object to anybody
24 coming in to any area and creating a community of
25 one specific group on purpose, absolutely.

248

1 - Rita Louie -

2 Q Why?

3 A It's -- this is America. We are a
4 melting pot. You keep one group out of one area
5 and another group out of another area
6 specifically, that would be discriminatory.

7 Q Well, the residents in Patrick
8 Farms -- this is related to Patrick Farms, right,
9 this email?

FinalRitaLouie.txt

10 A This is related to Patrick Farm, yes.

11 Q The residents in Patrick Farms would
12 have a choice as to whether or not they wanted to
13 live there, right?

14 A Yes.

15 Q And if they wanted to live amongst
16 people of a similar background, is there a
17 problem with that?

18 MS. NAPP: Object to the form.

19 Q In your view.

20 A No, not at all.

21 Q Do you believe the Orthodox, Hasidic
22 community intentionally segregates itself from
23 assimilating into the general community?

24 MS. NAPP: Object to the form.

25 A Yes, I do at times. Depends on the

249

1 - Rita Louie -

2 extremity of the sect.

3 Q What sect would be the most extreme in
4 that regard?

5 A I'm not familiar enough to comment on
6 that.

7 Q Do you have any understanding then of
8 any religious basis for the Orthodox, Hasidic
9 Jews to segregate themselves in a community?

10 A The conversations I've had with some
11 rabbis, they have told me that the leaders in the
12 community want to keep their religion pure.
13 That's a quote.

FinalRitaLouie.txt

14 Q Do you know, did you understand what
15 he meant by that?

16 A That was an explanation of why they
17 don't want their community to assimilate.

18 Q Do you agree with that?

19 A I don't agree or disagree. It's just
20 the way it is.

21 MR. STEPANOVICH: (Handing document to
22 be marked.)

23 (Whereupon, Emails, Bates No.
24 POM16954, was marked Plaintiff's Exhibit 304
25 for identification.)

250

1 - Rita Louie -

2 Q I'm handing you now, Mrs. Louie,
3 what's been marked as Plaintiff's Exhibit No.
4 304. It looks like an email exchange, at least
5 on the first page because that's all I'm
6 concerned about, another email exchange with you
7 and Bob Pro1.

8 A Yes.

9 Q And you write to Bob Pro1, this is
10 July 12, 2007. "Thanks Bob. I'm assuming you've
11 forwarded these comments to Preserve Ramapo,
12 et. al. Let's try to get a new group together as
13 a spin-off of Preserve Ramapo, made up of mainly
14 Orthodox Jews and other Monsey residents. There
15 are many, many people that want to get involved,
16 but I cannot do it because of my position. We
17 must get rid of St. Lawrence and get Ramapo back

FinalRitaLouie.txt

18 on the right track. Thanks again for all your
19 support. Rita."

20 Now, that's your email that you wrote
21 to Mr. Prol, correct?

22 A Correct.

23 Q So on July 12, 2007 you were a member
24 of the board of trustees, correct?

25 A Yes, I was.

251

1 - Rita Louie -

2 Q Is that why you couldn't get involved
3 in this, putting together a new spin-off of
4 Preserve Ramapo?

5 MS. NAPP: Object to the form.

6 A Possibly.

7 Q I'm just trying to get an
8 understanding why you felt that you couldn't get
9 involved in a public grass roots organization.

10 MS. NAPP: Object to the form.

11 A I think again at the time, you know, I
12 was still new to the board. There was the
13 lawsuit. I guess it was already filed. And I
14 did not want to get involved in any new
15 organizations.

16 Q Is that because you didn't want your
17 name associated with any of those kinds of
18 organizations?

19 MS. NAPP: Object to the form.

20 A No, not necessarily. My name is
21 associated with many, many organizations back

FinalRitaLouie.txt

22 then and going forward and since then. So I
23 don't know why at that time I wouldn't have
24 wanted to be involved in putting together a new
25 organization, unless it was something I didn't

252

1 - Rita Louie -

2 feel like I could do at the time.

3 Q well, if you could just take a minute.
4 This whole email chain really is in reference to
5 the Tartikov lawsuit, right?

6 A Uh-huh, yes. Tartikov sues village,
7 yes.

8 MS. NAPP: I'm just going to interpose
9 a belated objection there.

10 (Off-the-record discussion.)

11 Q The subject of the email is, "Even the
12 Jewish blogs support Pomona and want to testify
13 on our behalf."

14 And what is it that you were
15 attempting to communicate here to Mr. Pro1 in
16 this email?

17 MS. NAPP: Object to the form.

18 A I think we were just brainstorming
19 about how the Jewish community feels about the
20 proposed, you know, about the lawsuit that had
21 just been filed.

22 Q So isn't it true that you were trying
23 to get the word out that even Orthodox Jews and
24 other Monsey residents oppose the Tartikov
25 project?

FinalRitaLouie.txt

253

1 - Rita Louie -

2 A Yes, absolutely.

3 Q You thought it was important that that
4 fact, that Orthodox Jews and Monsey residents are
5 opposed to the Tartikov project, you thought it
6 was important to get that word out, right?

7 MS. NAPP: Object to the form.

8 A Yes, I thought it was important to get
9 that word out.

10 Q But you didn't want to have your name
11 associated with that purpose, right?

12 MS. NAPP: Object to the form.

13 A I don't know if that's the reason I
14 couldn't get involved at the time. I may have
15 been too busy with other things, because I was
16 new on the board. I can't imagine any group that
17 I wouldn't want my name associated with. Because
18 like I said, I am involved with many, many groups
19 and I'm not afraid to put my name out there.

20 Q Why do you believe you had to get rid
21 of St. Lawrence and then get Ramapo back on the
22 right track?

23 A I was very angry at the time that the
24 Patrick Farm property had been downzoned. And
25 St. Lawrence sat as the chair and as the

254

1 - Rita Louie -

FinalRitaLouie.txt
2 supervisor on that board who was the lead agency
3 on that decision.

4 Q In your opinion back in July of '07
5 Ramapo was on the wrong track?

6 A Correct.

7 Q Why was it on the wrong track?

8 A Because of all the downzoning that had
9 gone on within the year before, in that year.

10 Q And the adult student housing as well?

11 A All of the downzoning. Two acre to
12 one acre, one acre to multi-family, multi-family
13 to adult student housing.

14 MR. STEPANOVICH: (Handing document to
15 be marked.)

16 (Whereupon, Article written to Journal
17 News Editorial Page, Bates No. POM20042, was
18 marked Plaintiff's Exhibit 305 for
19 identification.)

20 Q You've been handed Exhibit 305, Mrs.
21 Louie. If you could take a look at that?

22 A (Complying.) Yes.

23 Q Now, this is an email to the Journal
24 News editorial page from Rita J. Louie, 1 Secor
25 Court, Pomona, 845-354-0292. Regarding: Pomona

255

1 - Rita Louie -
2 Rabbinical College Not a Natural Progression.

3 Is that what the heading says?

4 A Yes.

5 Q You wrote this email?

6 FinalRitaLouie.txt
MS. NAPP: Objection.

7 Q Strike that.

8 Did you write this document 305?

9 A I wrote it together with Brett Yagel.

10 Q So the edits here in this document,
11 were they done by you or Mr. Yagel?

12 A Mr. Yagel.

13 Q So when you say you wrote it with Mr.
14 Yagel, you and he originally drafted it?

15 A I believe I drafted the -- would have
16 drafted the original letter and sent it to Mr.
17 Yagel and he edited it and sent it out.

18 Q Sent it on to the Journal News?

19 A Correct.

20 MR. STEPANOVICH: (Handing document to
21 be marked.)

22 (Whereupon, Article entitled, "Pomona
23 rabbinical college not a 'natural'
24 progression," Bates No. RC1656, was marked
25 Plaintiff's Exhibit 306 for identification.)

256

1 - Rita Louie -

2 Q I'm handing you now, Mrs. Louie,
3 what's been marked as 306. Ask if you've ever
4 seen this before, Mrs. Louie?

5 A (Perusing document.) It's the same
6 letter.

7 Q But the author is Lynn Yagel, right?

8 A Yes.

9 Q And if you and Mr. Yagel wrote this

FinalRitaLouie.txt
10 same letter, why was it submitted to the Journal
11 News by Lynn Yagel?

12 MS. NAPP: Object to the form.

13 A Probably because -- the only reason I
14 could think of is that I probably had a letter
15 already submitted to the Journal News just before
16 that and you can't submit more than one letter
17 within thirty days from the same person. So we
18 had drafted the letter but could not send it out
19 because the Journal News would not have accepted
20 it. So we may have asked Lynn if she would sign
21 her name to it.

22 Q But you and Mr. Yagel wrote the
23 letter?

24 A Yes, probably. I mean it appears so,
25 yes.

1 - Rita Louie - 257

2 Q You remember writing this letter?

3 A I vaguely remember writing a lot of
4 letters.

5 Q Do you remember writing this letter?

6 A This particular letter?

7 Q You indicated that you wrote it.

8 A I vaguely remember writing this
9 letter, because I remember making reference to
10 the Revolutionary War.

11 Q This was what, about a month or so
12 before the election, right?

13 A Yes.

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14 Q The regarding line on 305 and then the
15 title of the letter on 306, "Pomona rabbinical
16 college not a natural progression."

17 So what did you mean by that, that the
18 Pomona rabbinical college is not a natural
19 progression?

20 MS. NAPP: Object to the form.

21 A I believe we were responding to a
22 statement in a previous letter in the Journal
23 News that it was a natural progression.

24 Q Do you recall, I think you may be
25 referring to maybe a comment by Mr. Savad that

258

1 - Rita Louie -

2 the rabbinical college was just a natural
3 progression of the sort of change in population
4 in Pomona; is that what you're referring to?

5 A Yes.

6 Q And your opinion is that it was not a
7 natural progression, right?

8 A In my opinion it was not a natural
9 progression.

10 Q Why not?

11 A A natural progression indicates a slow
12 progressive evolution of demographics and changes
13 in a town or a village that happens naturally due
14 to climate or due to areas or due to jobs, not
15 necessarily putting in a large development.

16 Q So a natural progression is something
17 that has to start and then develop; is that

FinalRitaLouie.txt

18 right?

19 MS. NAPP: Object to the form.

20 Q Over a period of time. Is that right?

21 A Correct.

22 Q The third paragraph says, "To say that
23 a virtual mini-city within the village that will
24 house thousands of homogenous individuals is
25 natural in any way is simply not true."

259

1 - Rita Louie -

2 So the homogenous individuals that you
3 refer to there, those are the Orthodox, Hasidic
4 Jews, right?

5 A Yes.

6 Q And you knew back then in February of
7 '07 that the inhabitants living in the housing in
8 the rabbinical college would be Orthodox, Hasidic
9 Jews, right?

10 MS. NAPP: Object to the form.

11 A If this was in response to a statement
12 made in Mr. Savad's letter, that's what I would
13 have been referring to.

14 Q Isn't it true that you didn't want
15 this letter submitted under your name because you
16 were running for election and you didn't want
17 your name associated with this article?

18 MS. NAPP: Object to the form.

19 A On the contrary. I would think we
20 would have wanted an article in the paper because
21 we were running for election and you want as much

FinalRitaLouie.txt
22 publicity as you can get. But I believe we had
23 already submitted a letter or were about to
24 submit another letter so we couldn't submit it
25 under our name.

1 - Rita Louie - 260

2 Q So if you could have signed your name
3 and submitted this letter under your name, you
4 would have done it?

5 A Absolutely.

6 Q I have nothing further.

7 MS. NAPP: No questions.

8 MR. STEPANOVICH: Again, I thank you
9 very much.

10 we'll just I think hold this open on
11 the issue only of the Marci Hamilton
12 retainer.

13 MS. NAPP: Yes.

14 MR. STEPANOVICH: Okay.

15 MS. NAPP: Agreed.

16 (Time Noted: 6:57 p.m.)

17 * * *

18

19 _____
20 Rita Louie

21
22 Subscribed and sworn to
23 before me this day
24 of , 2014
25 _____

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E X H I B I T S

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Ex 261	Defendants' Supplemental Responses To Plaintiffs' First Interrogatory	7	20
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Ex 262	Defendant Louie's Supplemental Responses To Plaintiffs' Second Set Of Interrogatories	12	6
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Ex 263	Board of Trustees Meeting Minutes, 5/9/05 Bates No. POM17495	26	7
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Ex 264	Memo 8/29/07, Document Hold and Preservation Notice - Privileged and Confidential Bates Nos. POM0007310-14	30	3
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Ex 265	Affirmation of Rabbi Fromowitz Bates No. RC267	71	7
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Ex 266	Preserve Ramapo email, 1/9/07 Bates No. POM13255	71	19
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Ex 270	Email dated 3/17/07 Bates No. POM16974	113 12
Ex 271	Campaign Literature Bates No. POM20045	119 21
Ex 272	Campaign Literature, Candidate Endorsement Bates No. POM20296	128 13
Ex 273	Note to Rita Bates No. POM20311	129 23
Ex 274	Campaign Literature Bates No. POM33090	132 24
Ex 275	Campaign Literature Bates No. POM20516	136 14
Ex 276	Emails Bates No. POM16975	140 20
Ex 277	Email dated 3/26/07 Bates No. POM21291	153 16
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10		Bates Nos. RC1682-83	
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12		Bates No. PROL0000006	
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15	Ex 282	Emails	169 21
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19		16-18, 2007	
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25	Ex 286	Printout of article,	180 3
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		Wispy Boundary Between	
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17	Ex 294	Posting, 12/17/11 Bates No. POM33868	191	18
18	Ex 295	Minutes of Pomona Board of Trustees Meeting, 4/23/07 Bates Nos. RC1339-1381	192	3
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23	Ex 297	Email dated 8/3/07 Bates No. POM16948	202	2
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Ex 299	Email dated 2/25/07 Bates No. POM19626	209 21
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15	Ex 302	Email, 5/11/07	228	24
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16	Ex 303	Emails	238	17
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19	Ex 305	Emails	249	23
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21	Ex 306	Article written to	254	16
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22		Page		
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23	Ex 307	Article entitled,	255	22
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24		college not a		
		'natural' progression"		
25		Bates No. RC1656		

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STATE OF NEW YORK)
COUNTY OF ROCKLAND) ss.

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6

I, Gale Salit, a shorthand reporter and
Notary Public within and for the State of New
York, do hereby certify:

8

9

That RITA LOUIE, the witness whose
examination is hereinbefore set forth, was
duly sworn by me and that the transcript
of said examination is a true record of the
testimony given by the witness.

10

11

12

13

14

I further certify that I am not related
to any of the parties to this action by blood
or marriage and that I am in no way interested
in the outcome of this matter.

15

16

17

18

IN WITNESS WHEREOF, I have hereunto set
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19 my hand this 26th day of June, 2014.

20

21

22

23

Gale Salit
Shorthand Reporter

24

25